

# City of Ovilla City Council

Kimberly Case, Place One  
Dean Oberg, Place Two

Richard Dormier, Mayor  
Doug Hunt Place Four, Mayor Pro Tem

David Griffin, Place Three  
Brad Piland, Place Five

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Monday, December 12, 2022 105 S. Cockrell Hill Road, Ovilla, TX 75154  
6:30 P.M.

Council Chamber Room

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## AGENDA

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Ovilla, to be held on **Monday, December 12, 2022**, at **6:30 P.M.** in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items:

**I. CALL TO ORDER**

- Invocation – led by PL2 Oberg
- U.S. Pledge of Allegiance and TX Pledge led by PL1 Case

**II. COMMENTS, PRESENTATIONS, ANNOUNCEMENTS, PROCLAMATIONS**

- Class 2A State Volleyball Champions Ovilla Christian School

**III. CITIZENS COMMENTS**

*The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments must observe a three-minute time limit. Inquiries regarding matters not listed on the agenda may be referred to Staff for research and possible future action.*

**IV. CONSENT AGENDA**

*The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for individual consideration on the regular agenda during this meeting.*

- C1.** Financial Transactions over \$5000
- C2.** Minutes of the Regular Council Meeting November 14, 2022
- C3.** Addendum No. 1 to the Municipal Solid Waste Collection, Transportation, and Disposal Contract

**V. REGULAR AGENDA**

- ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Resolution no. R2022-11 a Resolution of the City Council of the City of Ovilla, Texas, amending Resolution R2019-22, establishing a policy on governance process and rules of procedure, providing for the form and content of city council agendas; providing a savings clause; providing a severability clause; and providing an effective date.
- ITEM 2. DISCUSSION** – Discussion on Short-Term Rental properties such as an AirBnb and other Short-Term Rental companies with staff as requested by Place 3 Griffin.
- ITEM 3. DISCUSSION** – Discussion on and an update by staff regarding the purchase of the City of Ovilla marquee sign approved during the fiscal year 2022/2023 budget as requested by Place 1 Case.
- ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2022-24 an Ordinance of the City of Ovilla, Texas, amending Appendix Article A5.000, Section A5.001, of the Code of Ordinances of the City of Ovilla; providing an annual permit fee for peddlers, solicitors, and

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canvassers; providing a savings clause; providing a severance clause; providing for incorporation into the code of ordinances; providing for publication; and providing an effective date.

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Resolution R2022-12 A resolution of the City Council of the City of Ovilla, Texas, authorizing the filing of an application for financial assistance from the State Infrastructure Bank; authorizing the mayor to act on behalf of the City of Ovilla in all matters relating to the application; providing a savings clause; providing a severability clause; and providing an effective date.

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on providing staff with a directive to solicit grant administration services for engineering services in relation to the TxDot FM 664 widening project requiring the relocation of city utilities.

**ITEM 7. DISCUSSION/ACTION** – Consideration of and action on providing staff with a directive to prepare and publish a Request for Qualifications for engineering services in relation to the FM 664 widening project requiring the relocation of city utilities.

**ITEM 8. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

## VI. STAFF REPORTS

### • Department Activity Reports / Discussion

- |  |                                     |
|--|-------------------------------------|
| • Police Department                            | Police Chief J. Bennett             |
| ➤ Police Activity and Staffing Updates         |                                     |
| • Fire Department                              | Fire Chief B. Kennedy               |
| ➤ Fire Activity and Staffing Updates           |                                     |
| • Public Works Department                      | Public Works Director J. Kuykendall |
| ➤ Public Works Activity and Staffing Updates   |                                     |
| • Finance Department                           | Finance Director S. Jungman         |
| ➤ Finance Activity and Staffing Updates        |                                     |
| • Administration                               | City Manager P. Woodall             |
| ➤ Administration Activity and Staffing Updates | City Secretary B. Taylor            |

## VII. EXECUTIVE SESSION

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

### A. Convene into Executive Session.

**ES ITEM 1. DISCUSSION/ACTION** – Closed Session - Called pursuant to Section 551.074 (1) of the Texas Government Code: Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Finance Director

City Manager

# City of OVILLA City Council

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B. Adjourn from the executive session and reconvene into the open meeting.

VIII. ANY ACTION NECESSARY OR APPROPRIATE AS A RESULT OF THE CLOSED EXECUTIVE SESSION.

IX. REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF

X. ADJOURNMENT

THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF December 12, 2022, Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofovilla.org](http://www.cityofovilla.org), on the 9th day of December 2022, prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code. A quorum of the governmental body will be physically present at the location noticed above. Pursuant to Tex. Gov't Code 551.127, one or more members of the governing body may appear via videoconference call.

  
Bobbie Jo Taylor, City Secretary



DATE OF POSTING: 12/9/22 TIME: 10:00 am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.

*A recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.*

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCIÓN 30.06 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.

PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCIÓN 30.07 DEL CÓDIGO PENAL (ENTRADA SIN AUTORIZACIÓN POR TITULAR DE LICENCIA CON UNA PISTOLA VISIBLE), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411 DEL CÓDIGO DE GOBIERNO (LEY DE LICENCIAS DE PISTOLAS), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA VISIBLE.

City of Ovilla

~ PROCLAMATION ~

**WHEREAS**, I, Richard A. Dormier, Mayor of the City of Ovilla, take great pleasure in congratulating the Ovilla Christian School Volleyball Team for winning their fourth TAPPS (Texas Association of Private and Parochial Schools) Class 2A State Championship on November 10, 2022, at University High School in Waco, TX; and

**WHEREAS**, The Lady Eagles capped another season with a three straight-set win over Pflugerville Concordia High School; and

**WHEREAS**, four players were chosen as part of the 12-player All-Tournament Squad: Sophie Henry, Zoey Hensley, Gabi Noice, and London Upchurch. Ovilla Christian finished the season with a 34-7-2 record; and

**WHEREAS**, the 14 players on the roster as well as 2 managers led by Head Coach Kallye Johnson, Assistant Coaches Abi Griffin, Jackie Schooling, and Laura Stephens, and Athletic Director Josh Johnson.

**WHEREAS**, Ovilla Christian School's volleyball team has represented the citizens of Ellis County and the City of Ovilla in achieving the highest honors for a high school volleyball team; and

**WHEREAS**, these team members serve as role models to all youth. The dedication of the team from practice, to teamwork, high goals, hard work, and mental attitudes serve as an example to all Ellis County students.

**WHEREAS**, the students and supporting staff of Ovilla Christian School have shown great leadership and dedication. Their fellow students have supported them in an enthusiastic manner that does Ovilla Christian School and all of Ellis County proud.

**NOW, THEREFORE**, I Richard A. Dormier, Mayor of Ovilla, on behalf of the entire Ovilla City Council, do hereby recognize November 30<sup>th</sup>, 2022, as Ovilla Christian School Volleyball Day.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the official seal of the City of Ovilla to be affixed this **November 30<sup>th</sup> in the year 2022.**

\_\_\_\_\_  
Mayor Richard Dormier

Team Roster  
2022 OVILLA VOLLEYBALL

1	GABI NOICE	SR	2	BRENLIN GARLITZ	FR
3	BELLA NOICE	SO	4	JADYN WHITE	JR
5	LONDON UPCHURCH	JR	7	JORDYN WHITE	JR
8	BELLE SHACKELFORD	SR	9	MADISON WITTEN	FR
10	GABRIELA SOLIS	SR	11	JAGGER KUBIN	JR
12	SOPHIE HENRY	SO	13	ZOEY HENSLEY	SO
14	JACINDA LOPEZ	SR	15	MADISON CANTRELL	JR

HEAD COACH: Kallye Johnson  
ASSISTANT COACHES: Abi Griffin, Jackie Schooling, Laura Stephens  
MANAGERS: Rebekah Hatcher & Hattie Etter  
ATHLETIC DIRECTOR: Josh Johnson





12.12.2022

## Consent Items C1-C3

To  
Honorable Mayor  
and Council

- C1. Financial Transactions over \$5000
- C2. Minutes of the Regular Council Meeting November 14, 2022

From  
Staff

### BACKGROUND AND JUSTIFICATION:

C1: Financial Transactions over \$5000

**STAFF RECOMMENDATION:** Staff recommends approval

CC  
Applicable  
Departments

C2: Minutes of the Regular Council Meeting November 14, 2022

**STAFF RECOMMENDATION:** Staff recommends approval.

C3: Addendum No. 1 to the Municipal Solid Waste Collection, Transportation, and Disposal Contract

**STAFF RECOMMENDATION:** As directed by council action at the previous city council meeting staff has prepared an amendment to the garbage collection contract to provide for the use of the CNG vehicles. Staff recommends approval.

City of Ovilla

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)





**Date: December 12, 2022**

**To: Honorable Mayor and Council Members**

**Subject: Transactions over \$5,000 From  
October 1, 2022 thru  
October 31, 2022**

**From:**

**Sharon Jungman – Finance Director**

City of Ovilla  
Transaction Detail Report  
10/1/2022 - 10/31/2022

12/5/2022 4:02 PM

**100 - General Fund**

**Account 100-2311000**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	TMRS-Employer 10/8/2022	T. M. R. S.	PY10142022		5,672.76	0.00	(5,673.00)
10/26/2022	10/26/2022	AP Invoice	TMRS-Employer 10/22/2022	T. M. R. S.	PY10282022		5,672.37	0.00	(11,345.37)
Total							11,345.13	0.00	

**100 - General Fund**

**Account 100-2311500**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	Federal Withholding 10/8/2022	Internal Revenue Service	PY10142022		5,899.93	0.00	(5,899.83)
10/26/2022	10/26/2022	AP Invoice	Federal Withholding 10/22/2022	Internal Revenue Service	PY10282022		6,028.06	0.00	(11,927.89)
Total							11,927.99	0.00	

**100 - General Fund**

**Account 100-2312150**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	ER PD UHC 10/8/2022	United Health Care	PY10142022		12,386.42	0.00	(12,386.42)
Total							12,386.42	0.00	

**100 - General Fund**

**Account 100-10-55240**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/6/2022	10/6/2022	AP Invoice	CLEARGOV BUDGET SOFTWARE	ClearGov Inc.	2022-12305	053411	16,500.00	0.00	16,500.00
Total							16,500.00	0.00	

**100 - General Fund**

**Account 100-16-52160**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	CONTRACT 5016	TEXAS MUNICIPAL LEAGUE IRP	5016 10/01/22	053453	13,943.73	0.00	13,943.73
Total							13,943.73	0.00	

**100 - General Fund**

**Account 100-16-55640**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	CONTRACT 5016	TEXAS MUNICIPAL LEAGUE IRP	5016 10/01/22	053453	5,941.93	0.00	5,941.93
Total							5,941.93	0.00	

**100 - General Fund****Account 100-20-55240**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/14/2022	10/14/2022	AP Invoice	CRIMES ANNUAL LICENSE FEE	Sam Houston State University	100122	053450	18,000.00	0.00	18,000.00
Total							18,000.00	0.00	

**100 - General Fund****Account 100-30-52137**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/27/2022	10/27/2022	AP Invoice	TESRS- REVOCATION OF PARTICIPATION IN TESRS	TEXAS EMERGENCY SERVICES RETIREMENT	102622	053497	7,500.00	0.00	7,500.00
Total							7,500.00	0.00	

**100 - General Fund****Account 100-40-55240**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	ANNUAL SUBSCRIPTIONS	Gov Pilot	2021-1171	053473	7,500.00	0.00	7,500.00
Total							7,500.00	0.00	

**200 - Water And Utilities Fund****Account 200-75-55460**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	UTILITIES AND SERVICES	City of Dallas	050302539635	053467	44,602.14	0.00	44,602.14
Total							44,602.14	0.00	

**200 - Water And Utilities Fund****Account 200-80-55463**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	NOVEMBER BILLING	Trinity River Authority of Texas	BH 1687	053480	36,996.00	0.00	36,996.00
Total							36,996.00	0.00	

**600 - 4B Economic Development Fund****Account 600-10-8109219**

Post Date	Tran Date	Source	Line Description	Vendor	Invoice #	Check #	Debit	Credit	Balance
10/20/2022	10/20/2022	AP Invoice	50% Down Pmt. on Marquee sign for City Hall	Datatronic Control Inc.	P-3154-1	1063	24,390.25	0.00	24,390.25
Total							24,390.25	0.00	

**CITY OF OVILLA MINUTES**  
**Monday, November 14, 2022**  
**Regular City Council Meeting**  
**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Pro Tem Hunt called the Council Meeting of the Ovilla City Council to order at 6:30 PM, in the Ovilla Council Chamber Room, 105 S. Cockrell Hill Road Ovilla TX 75154, with notice of the meeting duly posted.

The following City Council Members were present:

Kimberly Case	Council Member, Place 1
Dean Oberg	Council Member, Place 2
David Griffin	Council Member, Place 3
Doug Hunt	Mayor Pro Tem, Place 4

Mayor Dormier noted that the above members of the council were in attendance with Place 5 Piland being absent, thus constituting a quorum. The city manager, city secretary, department directors, and various staff were also present.

**CALL TO ORDER**

PL3 Griffin gave the invocation and Mayor Dormier led the reciting of the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

**ANNOUNCEMENTS, PROCLAMATIONS, PRESENTATIONS, COMMENTS**

None

**CITIZEN COMMENTS:**

- Sheila Domstead, 111 Meadowwood, requested that item C5 Annual renewal of an Interlocal Agreement between Ellis County and the City of Ovilla for road and street maintenance be removed from the consent agenda and added to the regular agenda for discussion.
- Eric Edelmann, 607 Creek View Circle, addressed concerns regarding his utility billing.

**PUBLIC HEARING**

- P1.** To receive public comment on Ordinance No. 2022-18 amending Chapter 14 (Zoning) of the Code of Ordinances of the City of Ovilla; amending the Table of Land Uses to provide for bed and breakfast facilities; providing a definition of "Bed and Breakfast Facility", providing an amended definition of "Hotel/Motel".

City Manager Woodall presented the summarized Ordinance No. 2022-18 regulating Bed and Breakfast facilities in Ovilla, stating that there are no current regulations for these establishments and that this ordinance will allow the city to regulate the businesses and call for health and safety inspections yearly.

*Richard Dormier, Mayor*  
*Kimberly Case, Place One*  
*Dean Oberg, Place Two*

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*Doug Hunt, Place Four*  
*David Griffin, Place Three*  
*Brad Piland, Place Five*



Mayor Dormier opened the public hearing at 6:42 p.m.

No comments were made at this time.

Mayor Dormier closed the public hearing at 6:43 p.m.

### **CONSENT AGENDA –**

- C1.** Financial Transactions over \$5000
- C2.** Minutes of the Regular Council Meeting October 11, 2022
- C3.** Annual renewal of ESD #2 – Interlocal Services Agreement FY 2022-2023
- C4.** Annual renewal of Interlocal Agreement between Dallas County and the City of Ovilla pertaining to road and bridge transportation-related improvements or maintenance on or about certain designated roadways situated within the territorial limits of the City of Ovilla.
- C5.** Annual renewal of Interlocal Agreement between Ellis County and the City of Ovilla for road and street maintenance
- C6.** Resolution No. 2022-10 A resolution of the City of Ovilla approving the sale of land to the Texas Department of Transportation (Tx-Dot)
- C7.** Investment Report for July-September 2022

Mayor Pro Tem Hunt motioned to pull C5 Annual renewal of Interlocal Agreement between Ellis County and the City of Ovilla for road and street maintenance for discussion and consideration.

Seconded by PL1 Case

No opposition, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

Mayor Pro Tem Hunt motioned to approve all other consent agenda items.

Seconded by PL2 Oberg.

No oppositions, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

### **REGULAR AGENDA**

- ITEM 1. DISCUSSION –** Receive a presentation from Community Waste Disposal representative Jason Roemer on the annual review, proposed annual adjustment, and a proposed contract amendment to allow for compressed natural gas (CNG) vehicles.

CWD representative, Jason Roemer, presented the council with an annual review. Mr. Roemer stated that currently garbage is collected one time per week with recycling every other week. Mr. Roemer advised that 65 tons of brush was collected during a storm in July. Mr. Roemer also detailed the expansion of the central location of CWD and replacing the current diesel garbage trucks with trucks that are fueled by compressed natural gas.

- ITEM 2. DISCUSSION/ACTION** – Consideration of and action on the annual Community Waste Disposal rate adjustment and direct staff to return with an amendment to Section 4 of the current contract, amending the system chart and converting to CNG models.

The council discussed with the staff the rate adjustment that is allowed in the contract annually. The council compared the rate adjustment of diesel trucks versus the CNG model trucks which would be a significantly smaller increase in the rate.

Mayor Pro Tem Hunt motioned to approve the annual market adjustment of 10.9% in accordance with the Municipal Solid Waste Collection, Transportation and Disposal Contract, and direct staff to return with an amendment to Section 4 of the current contract, amending the system chart and converting to CNG models.

PL1 Case seconded the motion.

No oppositions, no abstentions.

**VOTE: The motion to approve carried unanimously: 4-0**

- ITEM 3. DISCUSSION/ACTION** – Consideration of and action on the financial impact to the city for the CWD Annual CPI rate adjustment.

City Manager Woodall explained that the council will need to direct staff in order to adjust the rate increase due to the annual rate adjustment of the garbage or allow for no increase to the customer which would result in a \$57,000 shortfall. Ms. Woodall stated that an increase of 10% would be sufficient.

PL3 Griffin made a motion to a 10% increase to the garbage rate for all customers of the City of Ovilla.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

**VOTE: The motion to approve carried unanimously: 4-0**

- ITEM 4. DISCUSSION/ACTION** – Consideration of and action on the recommendation from the Planning and Zoning Commission on Ordinance No. 2022-18 amending Chapter 14 (Zoning) of the Code of Ordinances of the City of Ovilla; amending the Table of Land Uses to provide for bed and breakfast facilities; providing a definition of “Bed and Breakfast Facility”, providing an amended definition of “Hotel/Motel”, providing a savings clause; providing a severance clause; providing for publication; and providing an effective date.

City Manager Woodall discussed the ordinance with the Council. Ms. Woodall stated that the ordinance does include an application process and that those currently in existence will also have to begin to follow the application process and regulations set forth in the ordinance.

Mayor Pro Tem Hunt made a motion to approve Ordinance No. 2022-18 amending Chapter 14 (Zoning) of the Code of Ordinances of the City of Ovilla; amending the Table of Land Uses to provide for bed and breakfast facilities; providing a definition of “Bed and Breakfast Facility”; providing an amended

definition of “Hotel/Motel”; providing a savings clause; providing a severance clause; providing for publication; and providing an effective date.

PL3 Griffin seconded the motion.

No oppositions, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2022-21 an Ordinance of the City of Ovilla, Texas, amending Chapter 13, Article 13.03, Division 2, Section 13.03.045 and Appendix Article A7.000, of the Code of Ordinances of the City of Ovilla; providing penalties for damaging or tampering with water meters; providing water and wastewater tap fees; providing water meter fees; providing a savings clause; providing a severance clause; providing for incorporation into the Code of Ordinances; providing for publication; and providing an effective date.

City Manager Woodall explained to the council the updates to the ordinance which included tampering charges and boring fees for water and sewer services.

PL2 Oberg motioned to approve Ordinance No. 2022-21 an Ordinance of the City of Ovilla, Texas, amending Chapter 13, Article 13.03, Division 2, Section 13.03.045 and Appendix Article A7.000, of the Code of Ordinances of the City of Ovilla; providing penalties for damaging or tampering with water meters; providing water and wastewater tap fees; providing water meter fees; providing a savings clause; providing a severance clause; providing for incorporation into the Code of Ordinances; providing for publication; and providing an effective date.

Mayor Pro Tem Hunt seconded the motion.

No oppositions, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2022-22 an ordinance of the City of Ovilla, Texas, amending Appendix A (fee schedule), Article A4.000, Section A4.001(1)(D) of the Code of Ordinances of the City of Ovilla; providing a fee for HVAC installation inspections; providing a savings clause; providing a severance clause; providing for incorporation into the code of ordinances; providing for publication; and providing an effective date.

Mayor Dormier explained that the current city ordinance does not allow the city to recoup the fees that are being charged by a third party for inspection of HVAC inspections. Mayor Dormier stated that the city is currently charging a flat fee of \$125.00 and that most HVAC inspections are more than the amount the city is charging the customer.

PL2 Oberg made a motion to approve Ordinance No. 2022-22 an ordinance of the City of Ovilla, Texas, amending Appendix A (fee schedule), Article A4.000, Section A4.001(1)(D) of the Code of Ordinances of the City of Ovilla; providing a fee for HVAC installation inspections; providing a savings clause; providing a severance clause; providing for incorporation into the code of ordinances; providing for publication; and providing an effective date.

Mayor Pro Tem Hunt seconded the motion.

No oppositions, no abstentions.

**VOTE: The motion to approve carried unanimously: 4-0**

**ITEM 7. DISCUSSION/ACTION** – Consideration of and action on a recommendation from the Planning and Zoning Commission on a request from Developer Steve Choe and Engineer Glen Kistenmacher to grant an extension on the Forest Creek Estates Preliminary Plat.

City Manager Woodall stated that the city code allows for a one-time extension of a preliminary plat of one year.

PL3 Griffin motioned to approve a recommendation from the Planning and Zoning Commission on a request from Developer Steve Choe and Engineer Glen Kistenmacher to grant an extension on the Forest Creek Estates Preliminary Plat.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

**VOTE: The motion to approve carried unanimously: 4-0**

**ITEM 8. DISCUSSION** – Discuss a possible amendment to the Code of Ordinances to provide additional regulations for peddlers within the City of Ovilla including but not limited to signage addressing peddlers in the city and a mandatory safety vest requirement for all peddlers, as requested by Place 4, Mayor Pro Tem Hunt.

Mayor Pro Tem Hunt addressed the council to discuss peddlers in the city and the need for them to be more clearly identified by the public. Mayor Pro Tem Hunt suggested that a vest be provided by the city as well as signage added to the neighborhoods advising peddlers of the need to register at City Hall.

The council consensus was that more education regarding peddlers to be placed on the website as well as in future Town Topics to be circulated by mail. The council directed staff to draft an ordinance to be brought to the next regularly scheduled meeting to increase the fees of the permit in order to cover staff administrative fees and the cost of background checks on the individuals who apply for the permits.

**ITEM 9. DISCUSSION** – Discuss the Annual Christmas Tree Lighting event to be held at Heritage Park on Thursday, December 1, 2022.

Staff provided an update to the council regarding the annual event advising of the date of the event and refreshments to be provided by the Service League. City Manager Woodall advised that an all-call would be placed to citizens and that signage would be placed around the city.

**ITEM 10. DISCUSSION/ACTION** – Consideration of and action on Ordinance No. 2022-23 of the City of Ovilla, Texas amending Appendix A, Article A7.000, Section A7.003 of the Code of Ordinances of the City of Ovilla; establishing monthly water and wastewater rates for residential and non-residential customers; providing a savings clause; providing a

severance clause; providing incorporation into the Ovilla Code of Ordinances; providing an effective date; and providing for publication.

City Manager Woodall explained to the council that this ordinance puts in place the rates that were approved during the fiscal year 2022-2023 budget cycle.

PL2 Oberg motioned to approve Ordinance No. 2022-23 of the City of Ovilla, Texas amending Appendix A, Article A7.000, Section A7.003 of the Code of Ordinances of the City of Ovilla; establishing monthly water and wastewater rates for residential and non-residential customers; providing a savings clause; providing a severance clause; providing incorporation into the Ovilla Code of Ordinances; providing an effective date; and providing for publication.

PL2 Oberg seconded the motion.

No oppositions, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

**ITEM 11. DISCUSSION/ACTION** – Consideration of any item(s) pulled from the Consent Agenda for individual consideration and action.

**Item C5** Annual renewal of Interlocal Agreement between Ellis County and the City of Ovilla for road and street maintenance.

Mayor Dormier advised that the city does not have any agreement with Red Oak ISD in place and that the city has advised the district that a rough proportionality assessment would need to be done prior to building a school on Westmoreland. Mayor Dormier stated that the city does not have any funding in the current budget to allow for the paving of existing roadways. Mayor Dormier advised that it is not the city's intention to bear the cost of completing a roadway for the school and that approval of this item is a standard agreement that is renewed each budget year.

PL3 Griffin motioned to approve an annual renewal of Interlocal Agreement between Ellis County and the City of Ovilla for road and street maintenance.

Mayor Pro Tem Hunt seconded the motion.

No oppositions, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

### **STAFF REPORTS**

- **Department Activity Reports / Discussion**

- Police Department

Police Chief J. Bennett

- Police Activity and Staffing Updates

- Fire Department

Fire Chief B. Kennedy

- Fire Activity and Staffing Updates

- Public Works Department

Public Works Director J. Kuykendall

- Public Works Activity and Staffing Updates

*Richard Dormier, Mayor  
Kimberly Case, Place One  
Dean Oberg, Place Two*

*Doug Hunt, Place Four  
David Griffin, Place Three  
Brad Piland, Place Five*



- Finance Department Finance Director S. Jungman
  - Finance Activity and Staffing Updates
- Administration City Manager P. Woodall
  - Administration Activity and Staffing Updates City Secretary B. Taylor

### III. **EXECUTIVE SESSION**

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076.

#### A. *Convene into Executive Session. 7:45 p.m.*

**ES ITEM 1. DISCUSSION/ACTION** – Closed Session - Called pursuant to Section 551.074 (1) of the Texas Government Code: Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Finance Director

City Manager

#### B. *Reconvene into Regular (Open) Session 8:39 p.m.*

**ES ITEM 2. DISCUSSION/ACTION** – Any action necessary or appropriate as a result of the closed executive session.

None

### **REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF**

Mayor Dormier requested that an action item be placed on the agenda to discuss how the department reports are listed and discussed during the council meetings.

PL3 Griffin requested that a discussion item be placed on the agenda regarding short-term rental property.

### **ADJOURNMENT**

PL2 Oberg made a motion to adjourn.

PL1 Case seconded the motion.

There being no further business, Mayor Dormier adjourned the meeting at 8:44 p.m.

No oppositions, no abstentions.

***VOTE: The motion to approve carried unanimously: 4-0***

*Richard Dormier, Mayor  
Kimberly Case, Place One  
Dean Oberg, Place Two*

7

*Doug Hunt, Place Four  
David Griffin, Place Three  
Brad Piland, Place Five*

\_\_\_\_\_  
Richard Dormier, Mayor

ATTEST:

\_\_\_\_\_  
Bobbie Jo Taylor, City Secretary

APPROVED: December 12, 2022

*Richard Dormier, Mayor  
Kimberly Case, Place One  
Dean Oberg, Place Two*

*Doug Hunt, Place Four  
David Griffin, Place Three  
Brad Piland, Place Five*

**ADDENDUM NO. 1 TO THE  
MUNICIPAL SOLID WASTE COLLECTION,  
TRANSPORTATION AND DISPOSAL CONTRACT**

This Addendum No. 1 to the Municipal Solid Waste Collection, Transportation and Disposal Contract is made by and between the City of Ovilla, Texas (herein “City”) and Community Waste Disposal (herein “Contractor”).

**RECITALS**

WHEREAS, City and Contractor entered a Municipal Solid Waste Collection, Transportation and Disposal Contract (the “Contract”) on December 1, 2018; and

WHEREAS, pursuant to the terms of the Contract, on each anniversary thereof the Contractor’s fees may be adjusted up or down to reflect the cost of operations; and

WHEREAS, Contractor has proposed, and the City accepts, adjustments to the current fees as set forth herein.

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable consideration, City and Consultant agree as follows:

**1. Amendment of Section 4.2.** Section 4.2 of the Contract is amended to read as follows:

4.2. Modification of Rates. On each anniversary date of this Contract, the fees which may be charged by the Contractor shall be adjusted upward or downward to reflect changes in the cost of operations.

- a. All rates charged by Community Waste Disposal (contractor) will be subject to an Annual CPI/Fuel/Disposal Cost Adjustment. The first annual adjustment will be effective twelve (12) months from the contract date, and subsequent adjustments will be made each year through the term of the contract. The Annual Adjustment will be applicable to all charges for Trash, Recycling, and other services for both residential and commercial services as contained in the contract. Rates and fees will be adjusted by the contractor for the second and subsequent Contract years for the term of the contract, based on the indices and methodology as described below. If any index defined herein shall not be determined and published or if any index as it is constituted on the Contract

Date is thereafter substantially changed, there shall be substituted for such index another index which is determined and published on a basis substantially similar to the index being replaced as shall be mutually agreed upon by the City and the Contractor. The percentage breakdown among the three components of the annual adjustment (CPI, Fuel, Disposal) will vary based on the type of service rendered (System) and can be found on the System Chart below. Annual Cost Adjustment is not based on service performance and will not be unreasonably withheld or denied.

b. CPI (*see System Chart for %*)

The basis for the CPI component of the annual increase will be the increase in the “Consumer Price Index – All Urban Consumers”, all items (not seasonally adjusted) less Energy, for the Dallas-Fort Worth, TX Area as published by the U.S. Department of Labor Bureau of Labor Statistics. The contractor has designated (*see System Chart for amount*) % of fees and charges to be adjusted by the CPI index. For the Annual Cost Adjustment to be effective on the first anniversary of the contract date, the Base or previous CPI index will be the most recent index published two (2) months prior to the date of the contract, and the Current CPI Index will be the most recent Index published two (2) months prior to the current year’s contract anniversary date. For subsequent years the Base CPI will be the previous year’s “Current Index Value” and the Current CPI Index will be the most recently published Index two (2) months prior to the current year’s contract anniversary date.

c. CNG FUEL (*see System Chart for %*)

The Fuel portion of the Annual Adjustment will be determined using the increase in the Henry Hub Natural Gas Spot Price (Dollars per MMBTU) as published by the Energy Information Administration of the U.S. Department of Energy (<https://www.eia.doe.gov/dnav/ng/hist/rngwhhdm.htm>). The contractor has designated (*see System Chart for amount*) % of fees and charges to be adjusted by the fuel index. For the Annual Cost Adjustment to be effective on the first anniversary of the contract date, the Base or Previous Fuel Index will be the average Henry Hub Natural Gas price per MMBTU for the most recent three (3) month period ending two (2) months prior to the date of the contract. The Current Fuel Index will be Henry Hub Natural Gas price per MMBTU for the three (3) month period ending two (2) months prior to the contract anniversary date. For all subsequent years of the contract the Base or

Previous Fuel Index will be the previous year's "Current Index Value", and the Current Fuel Index will be the average Henry Hub Natural Gas price per MMBTU for the three-month period ending two (2) months prior to the current years contract anniversary date.

d. **DISPOSAL** (*see System Chart for %*)

The Disposal portion of the Annual Adjustment will be determined using the increase in the CWD gate rate price for the MCCOMMAS Landfill. The contractor has designated (*see System Chart for amount*) % of fees and charges to be adjusted by the Disposal rate changes. For the Annual Cost Adjustment to be effective on the first anniversary of the contract date, the Base or Previous Disposal Index will be the MCCOMMAS Landfill gate rate effective on the date the CWD bid was submitted. The Current Disposal Index will be the MCCOMMAS Landfill gate rate in effect ten (10) months from the contract start date. For all subsequent years of the contract the Base or Previous Index value will be the previous year's "Current Index Value", and the Current Fuel Index will be the MCCOMMAS Landfill gate rate in effect one month prior to the current years contract anniversary date. In the event that the designated landfill closes or is no longer available to CWD, a new Landfill Cost per ton will be calculated utilizing the substituted Landfill's rate per ton, plus any additional costs associated with increased time in/out of the new landfill, and increased travel to the new Landfill.

e. **SYSTEM CHART**

	Front Load Trash	Roll Off Trash	Roll Off Excessive Weight	Residential Trash	Recycle
<b>CPI</b>	69%	58%	0%	70%	85%
<b>CNG Fuel</b>	3%	4%	0%	5%	5%
<b>Disposal</b>	28%	38%	100%	25%	10%
<b>Total</b>	100%	100%	100%	100%	100%

**EXAMPLE (Residential Trash)**



Contractors Base Fee Adjustment Indices	Index Percentage	Previous (Base) Index Value	Current Index value	Change in Index Value	Index Percentage Change	% Applied to Annual Cost Adjustment
Consumer Price Index	70%	259.068	279.907	20.839	8.04%	5.63%
CNG Fuel Cost	5%	\$5.621	\$7.682	\$2.061	36.67%	1.83%
Disposal Cost	25%	\$29.54	\$32.00	\$2.46	8.33%	2.08%
Annual Adjustment	100%					9.54%

- f. Recyclable Materials List - If a sustainable market is no longer available for a recycle commodity, CWD will inform the City/Town, and have the material removed from the acceptable list. In addition, if the value of any of the recycle commodities falls below zero dollars, CWD may petition the City/Town to have the item removed from the accepted materials list. As an alternative to removing recycle commodities as described above, CWD may request a special rate adjustment that would allow CWD to continue to recycle the materials.
- g. As of the month of the anniversary date of this Contract and every 12 months thereafter (the Rate Modification Date).
- h. A sixty-day notice of any and all rate changes shall be given to the City by the Contractor.
- i. The City Council shall vote on approval of any and all rate increases, and such approval shall not be unreasonably withheld.

2. **Remaining Terms Unchanged.** All other terms and conditions of the Contract are and shall remain in full force and effect.

*Remainder of page intentionally blank. Signature page follows.*

**AGREED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022

**CITY OF OVILLA, TEXAS**

By: \_\_\_\_\_  
Richard Dormier, Mayor

ATTEST:

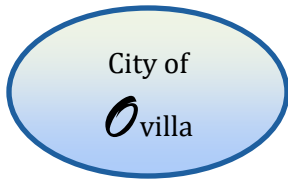
\_\_\_\_\_  
Bobbie Jo Taylor, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney

**COMMERCIAL WASTE DISPOSAL**

By: \_\_\_\_\_  
Jason Roemer, Vice President



# Ovilla City Council

## AGENDA ITEM REPORT Item 1

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☐ Finance Director

☒ Other: Mayor

### AGENDA ITEM:

**ITEM 1. DISCUSSION/ACTION** – Consideration of and action on Resolution no. R2022-11 a Resolution of the City Council of the City of Ovilla, Texas, amending Resolution R2019-22, establishing a policy on governance process and rules of procedure, providing for the form and content of city council agendas; providing a savings clause; providing a severability clause; and providing an effective date.

### Attachments:

1. Resolution 2022-11
2. Memo from City Secretary to City Council and City Attorney 12.16.2021 (redacted from the public packet as Attorney-Client Privilege)
3. Letter from City Attorney regarding Agenda Item Specificity 12.15.2021 (redacted from the public packet as Attorney-Client Privilege)
4. Texas Attorney General Opinion JC-0169

### Discussion / Justification:

**Background:** Council has discussed the listing of and discussion relating to Staff Reports on multiple occasions. City Secretary, Bobbie Jo Taylor, brought to the attention of the City Council that per AG Opinion JC-0169 “....” Employee briefing” or “staff briefing” does not give adequate notice of subjects presented to a governmental body by employees or staff members.” The consensus of the Council was to have the Staff Reports sent to the governing body ahead of the meetings for specific questions that may need to be addressed to be placed on the agenda as a discussion item.

Specificity requirements also apply to notice/agenda items regarding meeting discussions with city staff members. The Texas AG has ruled that a general description such as “employee briefing session: or “staff briefing session” does not provide the public with sufficient notice as to the specific subjects that will be discussed. AG Opinion JC-169.

As suggested by the City Attorney, staff has been preparing departmental reports and sending them to council members in advance of the meetings for questions that may arise to be placed on the agenda. Legal Counsel noted that this policy would ensure compliance with the Open Meetings Act.

### Recommendation / Staff Comments:

Since the November meeting staff was instructed by Mayor Dormier to contact legal counsel regarding the legality of placing the department reports on the agenda for discussion. Legal counsel has

recommended that departmental reports be updated to state “Receive Departmental Reports – No Action or Discussion”. This would allow for the department reports to be provided to the council however, no discussion would be allowed unless specifically requested prior to the meeting and placed as an agenda item.

**Sample Motion(s):**

I move to approve/deny Resolution no. R2022-11 a Resolution of the City Council of the City of Ovilla, Texas, amending Resolution R2019-22, establishing a policy on governance process and rules of procedure, providing for the form and content of city council agendas

## **RESOLUTION NO. R2022-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AMENDING RESOLUTION R2019-22, ESTABLISHING A POLICY ON GOVERNANCE PROCESS AND RULES OF PROCEDURE, PROVIDING FOR THE FORM AND CONTENT OF CITY COUNCIL AGENDAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Ovilla, Texas, is a Type A general-law municipality located in Ellis and Dallas Counties; and

WHEREAS, on October 15, 2019, the City Council of the City of Ovilla adopted Resolution R2019-22, thereby approving amended provisions to the City of Ovilla's Policy on Governance Process and Rules of Procedure; and

WHEREAS, the City Council deems it proper and in the best interest of municipal governance and the citizens of City of Ovilla to amend the current provisions in the Policy on Governance Process and Rules of Procedure relating to the form and content of city council meeting agendas as set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, THAT:**

SECTION 1. Section 2 "Form of Agenda," subsection B, on page 8 of the Policy on Governance Process and Rules of Procedure, is hereby amended to read as follows:

### **2. Form and Content of Agenda**

\* \* \*

B. The order of the agenda will generally be as follows:

- 1) Call to Order
- 2) Invocation
- 3) Citizen Comments
- 4) Pledges of Allegiance
- 5) Citizen Comments

- a. Open forum. An opportunity shall be provided for any person in attendance to address the council regarding any item not on the



agenda. These matters need not be specifically listed on the agenda, but discussion and formal action on such matters shall be deferred until a subsequent City Council meeting.

- b. Time limit. Speakers before the City Council shall limit their remarks to three (3) minutes or less, except as provided by the Chairman.
- c. If a member of the public addresses the governing body through a translator, they must be given at least twice the amount of time as a member who does not require a translator.

6) Presentations & Announcements

- a. Presentations by the Mayor and Members of Council. The agenda shall provide a time when the Mayor or any Councilperson shall bring before the City Council any business that he/she feels should be deliberated upon by the City Council. The Mayor and Council may request future agenda items for consideration.
- b. Oral presentations by City Secretary. Matters requiring the Mayor's or City Council's attention or action, which may have developed since the deadline for delivery of the written communication to the Mayor or Council, may be presented orally by the City Secretary. If formal City Council action on a subject is required, such action may be taken provided the provisions of the Texas Open Meetings Act have been satisfied.

7) Consent Agenda

8) Public Hearings

9) Regular Agenda

10) Receive Departmental Reports – No Action or Discussion

11) Adjournment

SECTION 2. All other Resolutions of the City Council of the City of Ovilla that are inconsistent with the provisions of this Resolution are hereby repealed.

SECTION 3. This Resolution shall become effective immediately upon its passage, approval, and adoption by the City Council of the City of Ovilla.

*Signature page follows.*

**RESOLVED, PASSED and APPROVED** by the City Council of the City of  
Ovilla this \_\_\_\_ day of \_\_\_\_\_, 2022.

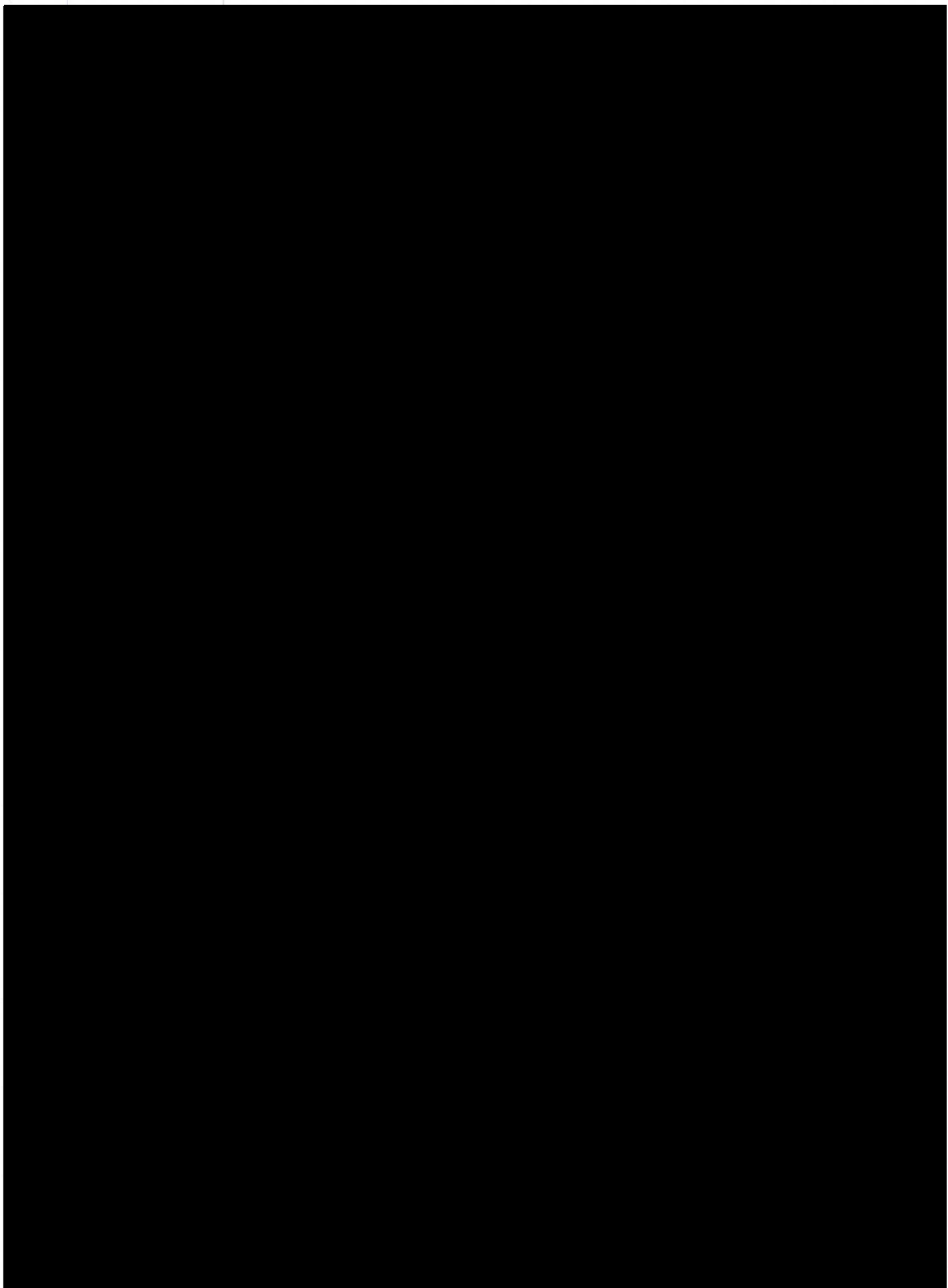
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Richard Dormier, Mayor

ATTEST:

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Bobbie Jo Taylor, City Secretary



the first of these is the fact that the majority of the population is now living in urban areas. This has led to a concentration of people in a few large cities, which has in turn led to a number of problems. One of the most serious is the lack of adequate housing. In many of these cities, the housing is of a very poor quality and is often overcrowded. This has led to a number of health problems, particularly in the case of children. Another problem is the lack of adequate sanitation. In many of these cities, there is no proper sewage system, and the waste is often dumped in the streets. This has led to a number of diseases, particularly in the case of children. A third problem is the lack of adequate education. In many of these cities, there are no schools, and the children are often left to fend for themselves. This has led to a number of social problems, particularly in the case of children.

The second of these is the fact that the majority of the population is now living in rural areas. This has led to a number of problems. One of the most serious is the lack of adequate housing. In many of these areas, the housing is of a very poor quality and is often overcrowded. This has led to a number of health problems, particularly in the case of children. Another problem is the lack of adequate sanitation. In many of these areas, there is no proper sewage system, and the waste is often dumped in the streets. This has led to a number of diseases, particularly in the case of children. A third problem is the lack of adequate education. In many of these areas, there are no schools, and the children are often left to fend for themselves. This has led to a number of social problems, particularly in the case of children.

The third of these is the fact that the majority of the population is now living in semi-urban areas. This has led to a number of problems. One of the most serious is the lack of adequate housing. In many of these areas, the housing is of a very poor quality and is often overcrowded. This has led to a number of health problems, particularly in the case of children. Another problem is the lack of adequate sanitation. In many of these areas, there is no proper sewage system, and the waste is often dumped in the streets. This has led to a number of diseases, particularly in the case of children. A third problem is the lack of adequate education. In many of these areas, there are no schools, and the children are often left to fend for themselves. This has led to a number of social problems, particularly in the case of children.

The fourth of these is the fact that the majority of the population is now living in coastal areas. This has led to a number of problems. One of the most serious is the lack of adequate housing. In many of these areas, the housing is of a very poor quality and is often overcrowded. This has led to a number of health problems, particularly in the case of children. Another problem is the lack of adequate sanitation. In many of these areas, there is no proper sewage system, and the waste is often dumped in the streets. This has led to a number of diseases, particularly in the case of children. A third problem is the lack of adequate education. In many of these areas, there are no schools, and the children are often left to fend for themselves. This has led to a number of social problems, particularly in the case of children.

The fifth of these is the fact that the majority of the population is now living in mountainous areas. This has led to a number of problems. One of the most serious is the lack of adequate housing. In many of these areas, the housing is of a very poor quality and is often overcrowded. This has led to a number of health problems, particularly in the case of children. Another problem is the lack of adequate sanitation. In many of these areas, there is no proper sewage system, and the waste is often dumped in the streets. This has led to a number of diseases, particularly in the case of children. A third problem is the lack of adequate education. In many of these areas, there are no schools, and the children are often left to fend for themselves. This has led to a number of social problems, particularly in the case of children.

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the 1990s, the number of people with a mental health problem has increased by 50% (Mental Health Foundation 1999). The prevalence of mental health problems has increased in all age groups, but the increase has been most marked in the young (Mental Health Foundation 1999).

There is a growing awareness of the need to address the mental health needs of young people (Mental Health Foundation 1999). The National Institute for Mental Health (NIMH) in the USA has estimated that 10% of the population under the age of 18 has a mental health problem (NIMH 1999). In the UK, the prevalence of mental health problems in young people is estimated to be 10% (Mental Health Foundation 1999).

The Mental Health Foundation (1999) has identified a number of factors that are likely to contribute to the increase in mental health problems in young people. These include: changes in the family environment, changes in the school environment, changes in the social environment, changes in the media environment, and changes in the health care system.

The Mental Health Foundation (1999) has also identified a number of factors that are likely to contribute to the increase in mental health problems in young people. These include: changes in the family environment, changes in the school environment, changes in the social environment, changes in the media environment, and changes in the health care system.

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OFFICE OF THE ATTORNEY GENERAL • STATE OF TEXAS  
JOHN CORNYN

January 24, 2000

The Honorable Tim Curry  
Tarrant County Criminal District Attorney  
Justice Center  
401 West Belknap  
Fort Worth, Texas 76196-0201

Opinion No. JC-0169

Re: Whether a governmental body may permit members of the public to comment at public meetings on matters not specified in the posted meeting notice (RQ-0098-JC)

Dear Mr. Curry:

You have requested our opinion as to whether a governmental body may permit members of the public to offer comments at public meetings regarding matters not specified in the posted meeting notice. We conclude that it may do so.

The Open Meetings Act, chapter 551 of the Government Code, requires that every meeting of a governmental body be open to the public, except for executive sessions as permitted by the statute. *See* TEX. GOV'T CODE ANN. § 551.002 (Vernon 1994). A meeting that is "open to the public" under the Act is one that the public is entitled to attend. *See* Tex. Att'y Gen. Op. No. M-220 (1968) at 5. The Act does not give the public a right to speak at such meetings. *See Charlestown Homeowners Ass'n, Inc. v. LaCoke*, 507 S.W.2d 876, 883 (Tex. Civ. App.—Dallas 1974, writ ref'd n.r.e.); Tex. Att'y Gen. Op. Nos. JM-584 (1986) at 3; H-188 (1973) at 2; Tex. Att'y Gen. LO-96-111, at 1; *see also Eudaly v. City of Colleyville*, 642 S.W.2d 75, 77 (Tex. App.—Fort Worth 1982, writ ref'd n.r.e.) (distinguishing between "public meeting," where public was not entitled to comment, and "public hearing," where public was entitled to comment). If a governmental body wishes to allow members of the public to speak at its public meetings, it may adopt reasonable rules consistent with relevant provisions of law allowing them to do so. *See* Tex. Att'y Gen. Op. No. H-188 (1973) at 2; Tex. Att'y Gen. LO-96-111, at 1. As you point out in your request letter, numerous governmental bodies have allowed for public comment at their meetings, subject to rules they have developed. You indicate:

[I]t has become increasingly common for units of local government to invite any member of the public to make whatever comments they desire in the public forum at the time of the public meeting. Some entities permit any member of the public to speak as long as they desire; others permit a few minutes per speaker per meeting. The member of the public typically shows up, fills out a card indicating they wish to address the body; and then is called upon when the



comments section of the meeting is reached. Topics are usually entirely at the discretion of the speaker.

Letter from Honorable Tim Curry, Tarrant County Criminal District Attorney, to Honorable John Cornyn, Texas Attorney General, at 3 (Aug. 6, 1999) (on file with Opinion Committee).

Prior to 1987, a "meeting" under the Open Meetings Act was defined to require a "deliberation" between the members of a governmental body. Thus, members of a governmental body could meet privately to receive information from and ask questions of their employees or of third parties, so long as they did not discuss any public business among themselves. *See Dallas Morning News Co. v. Board of Trustees*, 861 S.W.2d 532 (Tex. App.—Dallas 1993, writ denied). In 1987, the definition of "meeting" was amended to include any deliberation "between a quorum of members of a governmental body and any other person" at which public business or policy is discussed or at which formal action is taken. Act of May 31, 1987, 70th Leg., R.S., ch. 549, § 1, 1987 Tex. Gen. Laws 2211. The definition of "deliberation" was simultaneously amended to include a "verbal exchange during a meeting . . . between a quorum of members of a governmental body and any other person." *Id.*

In *Dallas Morning News Co.*, the court found that:

a briefing session with third parties where the public is excluded and the governmental body does not engage in a verbal exchange with representatives of the third party or engage in verbal exchange between its own members about the issue within its jurisdiction or any other public business, is not a deliberation as defined by the Act. Therefore, there is not a meeting as defined by the Act.

*Dallas Morning News Co.*, 861 S.W.2d at 537. Thus, between 1987 and 1999, when a quorum of a governmental body met to listen in silence to a briefing by a third party, that gathering did not fall within the definition of "meeting" and was hence not subject to the Open Meetings Act. Consequently, from 1987 to 1999, a governmental body could hold a "public comment" session without providing specific notice of the topics to be discussed, on the ground that, so long as its members merely listened, the gathering was not a "meeting."

In its most recent session, the legislature once again amended the definition of "meeting" to provide:

(A) a deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action; or

(B) except as otherwise provided by this subdivision, a gathering:

(i) that is conducted by the governmental body or for which the governmental body is responsible;

(ii) at which a quorum of members of the governmental body is present;

(iii) that has been called by the governmental body; and

(iv) *at which the members receive information from, give information to, ask questions of, or receive questions from any third person, including an employee of the governmental body, about the public business or public policy over which the governmental body has supervision or control.* The term does not include the gathering of a quorum of a governmental body at a social function unrelated to the public business that is conducted by the body, or the attendance by a quorum of a governmental body at a regional, state, or national convention or workshop, if formal action is not taken and any discussion of public business is incidental to the social function, convention, or workshop. The term includes a session of a governmental body.

TEX. GOV'T CODE ANN. § 551.001(4) (Vernon Supp. 2000) *as amended* by House Bill 156, Act of May 22, 1999, 76th Leg., R.S., ch. 647, § 1, 1999 Tex. Gen. Laws 3218 (emphasis added). As a result of this new language, it is clear that a "public comment" session is now encompassed within the definition of "meeting," since "public comment" necessarily implies that the "members" of the governmental body will "receive information from . . . or receive questions from [a] third person." *See id.*

The Open Meetings Act requires written notice of all meetings. Section 551.041 provides that "[a] governmental body shall give written notice of the date, hour, place, and *subject* of each meeting held by the governmental body." *Id.* § 551.041 (Vernon 1994) (emphasis added). *See City of San Antonio v. Fourth Court of Appeals*, 820 S.W.2d 762, 765 (Tex. 1991); *see also Texas Turnpike Auth. v. City of Fort Worth*, 554 S.W.2d 675 (Tex. 1977); *Lower Colorado River Auth. v. City of San Marcos*, 523 S.W.2d 641 (Tex. 1975). Notice should be more specific where the matter is of particular interest to the public. *See Cox Enterprises, Inc. v. Board of Trustees*, 706 S.W.2d 956, 958-59 (Tex. 1986). In 1975, this office said that such terms as "new business," "old business," "regular or routine business," or "other business" were insufficient to inform the public of the nature of the items to be addressed. Tex. Att'y Gen. Op. No. H-662 (1975) at 3. On their face, these cases and opinions might seem to preclude the use of a broad term such as "public comment." Such a



reading, however, would misconstrue the purpose both of the statute's notice requirement and of a "public comment" session.

The cases and opinions cited above construe the notice requirements of the Open Meetings Act to further the statute's intended purpose of opening governmental decision-making to the public. The public comment sessions at issue do not involve deliberations by a governmental body. The *Dallas Morning News* case, the only judicial decision to address one-way communications by third parties to a governmental body, concerned a formal report by a representative of the state agency with supervisory authority over the school district. The meeting in *Dallas Morning News Co.* was very different from the public comment sessions you have described. The school board knew well before the meeting that a Texas Education Agency representative would present a report on the district's accreditation. Had it been required to post notice of the meeting, it could easily have done so. A governmental body decides what it will discuss at its meetings, and it knows or can learn in advance the subject matter of reports or briefings by employees, consultants, auditors, persons engaged in business with the governmental body, and by other third parties with a special connection to the governmental body. Thus, there are no particular difficulties in providing notice of the subject matter of such presentations.

Unlike such briefings and presentations for which a governmental body may post specific notice of the particular subject matter, public comment sessions pose notable difficulties in predicting the subject matter of citizen comments and questions. We cannot expect a governmental body to divine or foresee the myriad of matters its constituents wish to bring to its attention. Rather, public comment sessions provide an opportunity for citizens to speak their minds on an unlimited variety of subjects. They furnish an outlet for real and imagined grievances. Moreover, they are held, not behind closed doors, but in the bright light of an open forum. They have been an integral part of public meetings since well before the adoption of the Open Meetings Act in 1967. See e.g., *State v. Hellman*, 36 S.W.2d 1002, 1004 (Tex. 1931) ("[F]requently citizens interested in matters to be acted upon by the council appeared before them at their meetings."); *Swank v. Sharp*, 358 S.W.2d 950, 951 (Tex. Civ. App.—Dallas 1962, no writ) ("[R]ules of the Council shall provide that citizens . . . shall have a reasonable opportunity to be heard.") (citation omitted). There is not the slightest indication in the record that the legislature, by amending the definition of "meeting" in 1999, meant to abolish them. To require specific notice of the items raised during a public comment session would, we think, effectively end the practice. This construction—entirely prohibiting public comment sessions—is inconsistent with the principles of open government advanced by the Open Meetings Act. Thus, we conclude that while such sessions constitute meetings for which notice must be given, the terms "public comment," "public forum," "open mike," or some other generic term, provide sufficient notice for the kind of sessions you describe.

We caution that the use of "public comment" or similar term will not provide adequate notice if the governmental body is, prior to the meeting, aware, or reasonably should have been aware, of specific topics to be raised. If, for example, a governmental body is apprised in advance that members of a particular neighborhood association will be present to comment on drainage



problems, it must insure that its notice is tailored to its prior knowledge. *See Cox Enterprises*, 706 S.W.2d 956.

We must also briefly explain how our conclusion here relates to section 551.042 of the Act. That section provides:

(a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply:

(1) a statement of specific factual information given in response to the inquiry; or

(2) a recitation of existing policy in response to the inquiry.

(b) any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

TEX. GOV'T CODE ANN. § 551.042 (Vernon 1994). This provision relates to "inquiries" from members of the public. Its purpose is to authorize a governmental body to make a limited response to an inquiry from the public about a subject not included on the posted notice and to prevent it from engaging in "deliberation" or making a "decision" about the subject matter of the inquiry. When an inquiry or a comment from a member of the public requires such deliberation or decision, members of the governmental body may respond merely that the matter shall be placed on a future agenda.

You also ask whether "employee briefing sessions" may be held without specific notice under the category denominated "public comment" or "staff briefing." Between 1987 and 1999, "employee briefing sessions" were permitted to be held in executive session. Section 551.075 provided:

(a) This chapter does not require a governmental body to confer with one or more employees of the governmental body in an open meeting if the only purpose of the conference is to:

(1) receive information from the employees; or

(2) question the employees.

(b) During a conference under Subsection (a), members of the governmental body may not deliberate public business or agency policy that affects public business.

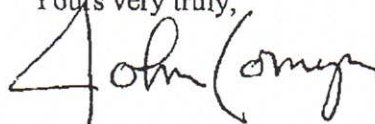
Act of May 4, 1993, 73d Leg., R.S., ch. 268, § 1, sec. 551.075, 1993 Tex. Gen. Laws 583, 590. According to opinions of this office, "staff briefing sessions," under the prior law, were not "meetings" within the Act, and were therefore not required to be open to the public or to be preceded by notice. See Tex. Att'y Gen. Op. Nos. DM-191 (1992) at 3; JM-1058 (1989). A "staff briefing session," taking place without notice or scrutiny, could provide an opportunity for secret deliberations. The bill analysis for House Bill 156 reported that "[a]t least one state board has conducted its deliberations as part of staff briefings that are closed to the public." HOUSE STATE AFFAIRS COMM., Tex. H.B. 156, 76th Leg., R.S. (1999). House Bill 156 deleted the general authorization for briefing sessions from section 551.075 and replaced it with a provision applicable only to the board of trustees of the Texas Growth Fund. See Act of May 22, 1999, 76th Leg., R.S., ch. 647, § 2, sec. 551.075, 1999 Tex. Gen. Laws 3218-19 (codified at TEX. GOV'T CODE ANN. § 551.075 (Vernon Supp. 2000)).

Whether "employee briefing sessions" were more properly characterized as entirely outside the definition of "meeting," or a permissible subject for a properly noticed executive session, the enactment of House Bill 156 makes clear that (1) they now fall squarely within the definition of "meeting;" and (2) they may not be held in executive session unless some other exception is applicable. Furthermore, we believe that a generic notice, such as "employee briefing sessions," is inadequate for such a session. A governmental body's relationship to its employees is entirely different from its relationship to the general public. It exercises control over its employees and presumably can ascertain in advance what subjects a particular employee will address. In any event, the amended definition of "meeting" and the repeal of the executive session provision for employee briefing sessions mean that staff briefings may be conducted only in public, unless some specific exception of the Act applies.

S U M M A R Y

"Public comment" provides sufficient notice under the Open Meetings Act of the subject matter of "public comment" sessions where the general public addresses the governmental body about its concerns and where the governmental body does not comment or deliberate except as authorized by section 551.042 of the Government Code. "Employee briefing" or "staff briefing" does not give adequate notice of subjects presented to a governmental body by employees or staff members.

Yours very truly,

A handwritten signature in black ink, appearing to read "John Cornyn", written over a horizontal line.

JOHN CORNYN  
Attorney General of Texas

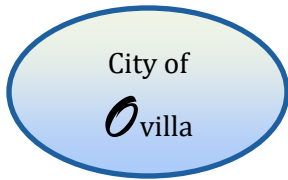
ANDY TAYLOR  
First Assistant Attorney General

CLARK KENT ERVIN  
Deputy Attorney General - General Counsel

ELIZABETH ROBINSON  
Chair, Opinion Committee

Rick Gilpin  
Assistant Attorney General - Opinion Committee





# Ovilla City Council

## AGENDA ITEM REPORT Item 2

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☐ Finance Director

☐ Other:

### AGENDA ITEM:

**ITEM 2. DISCUSSION**– Discuss Short-Term Rental properties such as an AirBnb and other Short-Term Rental companies with staff as requested by Place 3 Griffin.

### Attachments:

None

### Discussion / Justification:

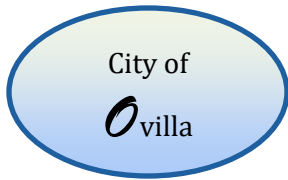
**Background:** City Staff has been conversing with legal counsel for some time regarding regulations on Short Term Rentals. Council enacted Ordinance 2022-18 providing a definition for a Bed and Breakfast and setting the application process and fees. However, legal has advised that cities have been challenged in regard to short-term rentals and courts have held that a city cannot restrict owners from leasing property to others. The city is not allowed to use zoning as a way to restrict a short-term rental. short-term Rentals are subject to the Hotel Occupancy Tax ordinance recently put into place by city council action. City staff is staying abreast of the ongoing changes in the law regarding short-term rentals and will bring any information to the council for consideration once a clear understanding of the law and how the city can implement those laws and/or restrictions.

### Recommendation / Staff Comments:

Staff Recommends: None

### Sample Motion(s):

Discussion Only



# Ovilla City Council

## AGENDA ITEM REPORT Item 3

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☐ Action

Budgeted Expense: ☒ YES ☐ NO ☐ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☐ City Attorney

☒ Finance Director

☒ Other: Parks/Public Works

### AGENDA ITEM:

**ITEM 3.DISCUSSION** – Discussion on and an update by staff regarding the purchase of the City of Ovilla marquee sign approved during the fiscal year 2022/2023 budget as requested by Place 1 Case

### Attachments:

1. Monument design
2. Purchased through Smart buy

### Discussion / Justification:

**BACKGROUND:** The city staff is providing the governing body an update on the marquee/monument sign as requested by Place 1 Case.

During the May 2022 Council meeting, the governing body directed staff to research this planned upgrade to include that the sign be presented in a monument style to match the current monuments the city has erected in two areas of the city instead of using the current pole sign.

During the FY2022-2023 budget presentations and process, staff requested the EDC's consideration to fund the update to the city marquee to include the council's requested monument-style option. The EDC agreed and motioned to fund \$50k for the update of an electronic sign in a monument display. The council approved. The Park Department acquired a reasonable quote for an LED display, wireless electronic sign that is managed from software inside the office building. This far exceeds the inadequacies and use of our current manual sign.

**FUNDING OPTIONS:** Staff followed through, and the park supervisor acquired the necessary proposals and placed a monument sign on order through a state-approved procurement group, Smart Buy. The cost is within the approved funding through the Economic Development Corporation.

### Recommendation / Staff Comments:

Staff Recommends: N/A

### Sample Motion(s):

Discussion Only



PHYSICAL SIZE: 4' 9 1/16" H x 10' 0 15/16" W

8MM  
~~10MM~~

## Option 7

10'-2 15/16"

10'-0 15/16"

Cast  
Stone  
ID Sign

# CITY OF OVILLA

## Help protect our town!

# BURN BAN IN EFFECT

4'-9 1/16"

12'-8 3/4"

DESIGNED FOR:

City of Ovilla

QUOTE NUMBER:

2207-1908-????

DATE:

07-18-22

DRAWN BY:

Kayla D.

SCALE:

1/24.98"

This original design and all information contained herein are the property of Datatronic Control, Inc. and is subject to return, any unauthorized use is prohibited. Images shown on the sign may not display actual resolutions. This drawing shows estimates for representation and size only. Actual sizes may vary and this should in no way constitute as a technical or engineered drawing. The sizes, layouts, and images used in this drawing are for the sole purpose of being viewed by the client to estimate how the sign may be displayed. Refer to a engineer drawing for actual sizes, layouts, and scales. Datatronic Control, Inc. does not perform any electrical work. All electrical work must be performed by a licensed electrician.

DESCRIPTION:

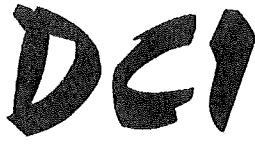
10 MM  
Cinevision  
120 x 288 Matrix

NOTES:



CUSTOMER APPROVAL:

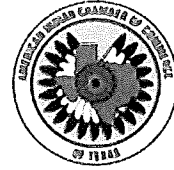
DATE:



**1-800-527-1229**

5130 Dexham Road Rowlett, Texas 75088

Fax: 972-475-4163 Website: dcisign.com



**Datatronic Control, Inc.**

**Indoor & Outdoor Business Displays | Sports Displays & Scoreboards | Rental Display Packages**

Bill to: City of Ovilla  
Ainsley Jarvis  
105 S. Cockrell Hill Rd  
Ovilla, TX 75154

Ship to:

This Sales Agreement ("Agreement") between **DATATRONIC CONTROL, INC.**, ("DCI") and City of Ovilla ("Buyer") governs Buyer's purchase of an electronic display ("Display") from DCI.

### 1. DISPLAY DESCRIPTION

The Display shall be manufactured in accordance with the description set forth in the Quote Form: 2207-2010-5744

Description: LED08-0160-0320-TFFO  
Number of Faces: Two Single Faces.

Matrix: 160x320  
Color: Full color.

Character Size: 8mm  
Message Center Lines: 1 to

26

Options: Back up parts kit, Wireless radios, Programming computer, DCI control system, Control software, Sign permit (plus cost of permit), Engineered drawing, Online software training, Installation, Brickwork (by others).

### 2. PRICE

DCI agrees to sell, and Buyer agrees to buy the Display for the total sum of \$48,780.50 ("Sales Price"). The Sales Price shall be payable as follows:

A. \$24,390.25 This Down Payment is due upon the signing of this Agreement. All Down Payments and deposits are non-refundable.

B. \$24,390.25 This Remaining Balance is to be paid in certified funds upon notice to Buyer that the Display is ready for shipment.

The Buyer shall pay all taxes, federal, state, and local which may be imposed upon the sale, manufacture of or billing of the Display. All such taxes will be in addition to the Sales Price. Should any governmental body or agency in the area where Buyer decides to install the Display require or impose any modifications to the Display, DCI shall charge, and Buyer agrees to pay, all additional costs related to such modifications to the Display. Buyer agrees to pay all taxes and all such additional costs, in full, at the time Buyer pays the Remaining Balance on the Display.

### 3. CONSTRUCTION, SHIPMENT OF DISPLAY, AND RISK OF LOSS

Upon full execution of this Agreement by both parties, DCI shall commence the construction of the Display and prosecute the work thereon with due diligence until completion and ready shipment.

Upon completed construction of the Display, DCI will notify Buyer that the Display is ready to be shipped and present a final bill which includes the Remaining Balance and any costs associated with modifying the Display to comply with any governmental regulation or requirement. Buyer will pay this final bill to DCI, in certified funds, within fourteen (14) days of receipt. Failure to timely pay the final bill will constitute Buyer's default of this Agreement.

Upon receipt of full and timely payment from Buyer, DCI will release the Display for shipment to Buyer. Buyer is responsible for arranging and paying for shipment of the Display from DCI's location to Buyer. Risk of loss for the Display shall pass to Buyer once DCI has tendered the Display to Buyer's freight carrier at DCI's location. From the time risk of loss passes to the Buyer, all loss or damage to the Display caused by any source including, but not limited to, Shipper's negligence





Glenn Hegar  
Texas Comptroller of Public Accounts



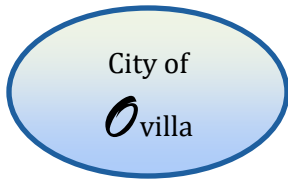
# Purchasing

## Texas Smartbuy Listing for CITY OF OVILLA

### Texas Smartbuy member information

<b>CO-OP #</b>	M8484
<b>Contact</b>	SHARON JUNGMAN
<b>Address</b>	105 S. COCKRELL HILL RD OVI LLA TX, 75154
<b>Phone #</b>	972-617-7262
<b>Fax #</b>	972-515-3221
<b>E-mail</b>	sjungmang@cityofovilla.org
<b>Travel Eligible</b>	Y
<b>Expiration Date</b>	12/13/22

Go to MUNICIPALITIES



# Ovilla City Council

## AGENDA ITEM REPORT Item 4

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☐ Finance Director

☐ Other:

### AGENDA ITEM:

**ITEM 4. DISCUSSION/ACTION** – Consideration of and action on Ordinance 2022-24 an ordinance of the City of Ovilla, Texas, amending Appendix Article A5.000, Section A5.001, of the Code of Ordinances of the City of Ovilla; providing an annual permit fee for peddlers, solicitors, and canvassers; providing a savings clause; providing a severance clause; providing for incorporation into the code of ordinances; providing for publication; and providing an effective date.

### Attachments:

1. Ordinance No. 2022.24

### Discussion / Justification:

**Background:** City council directed staff to bring back the ordinance relating to solicitors, peddlers, and canvassers to increase the fees so that the background checks and administrative staff costs are recouped when issuing a permit to peddlers.

### Recommendation / Staff Comments:

Staff Recommends: Approval

### Sample Motion(s):

I move to approve/deny 2022-24 an ordinance of the City of Ovilla, Texas, amending Appendix Article A5.000, Section A5.001, of the Code of Ordinances of the City of Ovilla

## ORDINANCE NO. 2022-24

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX ARTICLE A5.000, SECTION A5.001, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA; PROVIDING AN ANNUAL PERMIT FEE FOR PEDDLERS, SOLICITORS, AND CANVASSERS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Ovilla is a Type-A general law municipality; and

WHEREAS, Section 215.031 of the Texas Local Government Code provides that a general law municipality may license, tax, suppress, prevent, or otherwise regulate peddlers; and

WHEREAS, Section 215.033 of the Texas Local Government Code provides that a municipality may set fees for licenses and direct the manner for the issuance of same; and

WHEREAS, the City of Ovilla previously adopted an ordinance regulating and requiring permit fees for peddlers, solicitors, and canvassers; such ordinance being codified as Chapter 4, Article 4.02 of the Code of Ordinances of the City of Ovilla; and

WHEREAS, on March 26, 2007, the City Council of the City of Ovilla adopted Ordinance No. 07-005 providing a permit fee for peddlers, solicitors, and canvassers; such fee being set forth in Article A5, Section A5.001 of the Appendix to the Code of Ordinances of the City of Ovilla; and

WHEREAS, the administrative staff of the City of Ovilla periodically reviews the city's ordinances and recommends revisions thereto based on current needs, outdated provisions, changes in the law, advances in technology, changes in costs and necessary fees, administrative needs, and/or for the protection of citizens of the city; and

WHEREAS, the city staff has recommended an adjustment to the city's permit fee for peddlers, solicitors, and canvassers; and

WHEREAS, the City Council finds and determines that the recommended permit fee for peddlers, solicitors, and canvassers is reasonably necessary to cover the city's administrative costs and is in the best interest of the health, safety, and welfare of the citizens of Ovilla.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS:

SECTION 1. INCORPORATION OF RECITALS. The foregoing recitals are hereby incorporated by reference and made a part hereof as if fully set forth.

SECTION 2. AMENDMENT OF APPENDIX ARTICLE A5.000, SECTION A5.001, OF THE CODE OF ORDINANCES OF THE CITY OF OVILLA. Appendix Article A5.000, Section A5.001, of the Code of Ordinances of the City of Ovilla is hereby amended to read as follows:

**Sec. A5.001. Permit fee for peddlers, solicitors, and canvassers.**

The annual permit fee for peddlers, solicitors, shall be one hundred fifty dollars (\$150.00).

SECTION 3. SAVINGS CLAUSE. This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Ovilla, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event, conflicting provisions of such ordinances and Code are hereby superseded.

SECTION 4. SEVERANCE CLAUSE. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Code of Ordinances, as amended hereby, be held to be void or unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of the remaining portions of said Ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

SECTION 5. INCORPORATION INTO CODE OF ORDINANCES. The provisions of this ordinance shall be included and incorporated in the Code of

Ordinances of the City of Ovilla, Texas, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 6. PUBLICATION. The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

SECTION 7. EFFECTIVE DATE. Because of the nature of the interests sought to be protected and of the safeguards sought to be provided by this Ordinance, and in the interest of the health, safety, and welfare of the citizens of Ovilla, Texas, this Ordinance shall take effect immediately after its passage, approval, and publication as required by law.

**PASSED, APPROVED and ADOPTED** by the City Council, the City of Ovilla, Texas, on this the \_\_\_\_ day of \_\_\_\_\_, 2022.

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Richard Dormier, Mayor

ATTEST:

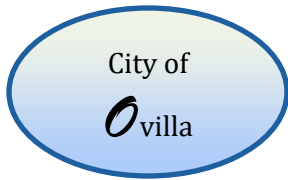
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Bobbie Jo Taylor, City Secretary

APPROVED AS TO FORM:

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Ron G. MacFarlane, Jr., City Attorney



# Ovilla City Council

## AGENDA ITEM REPORT Item 5

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☒ NO ☐ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☒ Finance Director

☒ Other: Bond Counsel / PW Dept.

### AGENDA ITEM:

**ITEM 5. DISCUSSION/ACTION** – Consideration of and action on Resolution R2022-12 A resolution of the City Council of the City of Ovilla, Texas, authorizing the filing of an application for financial assistance from the State Infrastructure Bank; authorizing the mayor to act on behalf of the City of Ovilla in all matters relating to the application; providing a savings clause; providing a severability clause; and providing an effective date.

### Attachments:

1. Resolution R2022-12
2. TxDot information
3. Hilltop Securities information (redacted from public packet)

### Discussion / Justification:

**Background:** The governing body has been made aware that the relocation of the utilities along FM664 will be quite expensive. With the support of the mayor, staff is researching a TX Dot State Infrastructure Bank loan which requires a lengthy and detailed process. Staff has an internal review committee comprised of:

1. Sharon Jungman
2. Bobbie Jo Taylor
3. James Kuykendall
4. Cathy Gaeta
5. Pam Woodall

At this stage, we are acquiring the required documents to prepare to file for this loan if Council so directs. One requirement is a resolution from the governing body authorizing and approving the mayor to direct staff to apply for financial assistance. Based on the initial review of the city's engineering firm, the city's cost for this mandated project is expected to be around \$4 million.

Required documents for application submittal:

- Copy of Advanced Funding Agreement, Utility Relocation or other agreement with TxDOT, if applicable
- Bond rating letters from Moody's, Standard & Poor's, or Fitch, if any
- Resolution from governing board authorizing the application.

- Financial feasibility study.
- 5 years of audited financial statements related to the source of repayment.
- Copy of the most recent budget.
- Preliminary design study which includes:
  - An initial route and potential alignments.
  - The project's logical termini and independent utility.
  - The location of all right-of-way, facilities and equipment required to make the project functional.
  - Revisions or changes to state highway system facilities necessitated by the project.
  - An Environmental Review of the project if available.
  - Legal or letter size map of the project.

***Staff inquired with our bond counsel and have been advised that there may be other options available that could be cost-saving and tax-exempt and are looking into that for us now. The council may choose to wait on the resolution until staff receives more information.***

<b>Recommendation / Staff Comments:</b>
Staff Recommends: N/A
<b>Sample Motion(s):</b>
I move to approve/deny Resolution R2022-12 A resolution of the City Council of the City of Ovilla, Texas, authorizing the filing of an application for financial assistance from the State Infrastructure Bank; authorizing the mayor to act on behalf of the City of Ovilla in all matters relating to the application as presented.

## **RESOLUTION NO. R2022-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE STATE INFRASTRUCTURE BANK; AUTHORIZING THE MAYOR TO ACT ON BEHALF OF THE CITY OF OVILLA IN ALL MATTERS RELATING TO THE APPLICATION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the State Infrastructure Bank, operated by the Texas Department of Transportation, is a revolving loan fund; and

WHEREAS, the City Council of the City of Ovilla deems it proper and in the best interest of the citizens of City of Ovilla to apply for a loan from the State Infrastructure Bank in an amount up to \$ 4,000,000.00 to be used for relocation of utilities along FM 664; and

WHEREAS, the City of Ovilla is qualified to apply for and obtain financial assistance from the State Infrastructure Bank for the said purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, THAT:**

SECTION 1. The City Council believes that it is in the best interest of the citizens of Ovilla to apply for a loan from the State Infrastructure Bank in an amount up to \$4,000,000.00 to finance the relocation of utilities along FM 664.

SECTION 2. The City Council hereby authorizes the Mayor of Ovilla to execute an application for financial assistance from the State Infrastructure Bank and to submit the application, together with all required documentation, to the Texas Department of Transportation for consideration.

SECTION 3. The application to be submitted is attached hereto as Exhibit A and made a part hereof for all purposes.

SECTION 4. All other Resolutions of the City Council of the City of Ovilla that



are inconsistent with the provisions of this Resolution are hereby repealed.

SECTION 5. This Resolution shall become effective immediately upon its passage, approval, and adoption by the City Council of the City of Ovilla.

**RESOLVED, PASSED and APPROVED** by the City Council of the City of Ovilla this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Richard Dormier, Mayor

ATTEST:

---

Bobbie Jo Taylor, City Secretary

[Home](#) / [Business](#) / [Grants and funding](#) / [State Infrastructure Bank \(SIB\) - Transportation Loan Program](#)

# State Infrastructure Bank application process

## State Infrastructure Bank (SIB) - Transportation Loan Program

State Infrastructure Bank application process

General State Infrastructure Bank information

Loans - North Region

Loans - South Region

Loans - East Region

Loans - West Region

Current SIB borrowers

Status: We are currently accepting applications.

Below are the types of SIB loan applications that we accept. Please fill out all items in the SIB loan application. If you have questions about anything on the application, please call 512-463-9958.

- [SIB Loan Application \(Fillable\)](#)
- [SIB Loan Application \(Non-fillable\)](#)

## First-come, first-served application

A SIB loan application under \$10 million for work necessary for a TxDOT project is exempt from the program call, and each application will be reviewed on a first-come, first-served basis. One Commission approval will be required after final loan terms are negotiated.

## Program call application

A SIB loan application for a non-TxDOT project or SIB loan over \$10 million will be prioritized against other applications in a Program Call. Two Commission approvals will be required:

- Prioritization and preliminary approval of complete applications
- Final approval of loan terms after negotiations are completed

For a list of prioritization considerations, please see [§6.32\(c\)\(1\) of the SIB Rules](#).

## Program call

- Status: Open
- [Upcoming Application Deadlines](#)
- Available funds: \$50 million

## Interest rate information

### General information

The SIB uses the Municipal Market Index (MMD) to set interest rates. This index is updated weekly.

- Rates are set at the time we receive a completed application.
  - The rate will be reset if the loan does not go before the Texas Transportation Commission within 12 months.
- Rate is determined based on the current credit rating of the borrower and the term of the loan
  - Ex. Higher rating = lower rate; Shorter term = lower rate.
- Credit rating not required to borrow.
- Fixed rate for the life of the loan.

Please contact us to inquire about current rates.

## Current interest rate discounts

### Economically Disadvantaged County Program (EDC)

- [Current list](#)

- Available to any entity residing in an economically disadvantaged county.
- Rate reduced in basis points based on the adjustment percentage listed. See the example below.

### Example: 80% adjustment percentage

Set rate:	2.00%
EDC reduction:	0.80%
Final rate:	1.20%

More information on the economically disadvantaged county program can be found [here](#).


## SIB funds

Limitations on available SIB funds 	Current limit 
Per project	\$53 million
Per borrower	\$107 million
Total of all loans paid with project revenues	\$268 million

## Contact us

 [Email Project Finance, Debt and Strategic Contracts Division State Infrastructure Bank \(SIB\)](mailto:Email Project Finance, Debt and Strategic Contracts Division State Infrastructure Bank (SIB))

 [512-463-9958](tel:512-463-9958)

 [125 E. 11th St.  
Austin, TX 78701-2483](#)

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[Projects & studies](#)

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[Traffic safety data portal](#)

[Severe weather](#)

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[Open records](#)

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[Efficiencies & innovation](#)

[Report fraud, waste or abuse](#)

\_\_\_\_\_

the 'information' and 'communication' fields. The 'information' field is defined as:

...the study of the nature, sources, uses, and management of information, and the study of the communication of information. (p. 1)

The 'communication' field is defined as:

...the study of the nature, sources, uses, and management of communication, and the study of the communication of information. (p. 1)

These definitions are not mutually exclusive, and the two fields overlap significantly.

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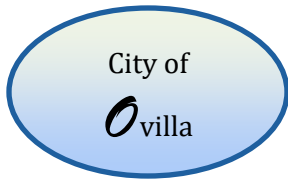
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These definitions are not mutually exclusive, and the two fields overlap significantly.





# Ovilla City Council

## AGENDA ITEM REPORT Item 6

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☐ Finance Director

☐ Other:

### AGENDA ITEM:

**ITEM 6. DISCUSSION/ACTION** – Consideration of and action on providing staff with a directive to solicit grant administration services for engineering services in relation to the TxDot FM 664 widening project requiring the relocation of city utilities.

### Attachments:

1. Grantworks Services Information

### Discussion / Justification:

**Background:** Staff is requesting council allow for solicitation for grant administration services to provide services to the city for help in the administration process of the American Rescue Plan Act as it relates to the TxDot FM 664 widening project which will require the relocation of the utilities.

### Recommendation / Staff Comments:

Staff Recommends: Approval

### Sample Motion(s):

I move to approve/deny to direct staff to solicit grant administration services for engineering services in relation to the TxDot FM 664 widening project requiring the relocation of city utilities.



# AMERICAN RESCUE PLAN ACT

**American Rescue Plan Act (ARPA) Program** of 2021 is a \$1.9 trillion economic rescue package designed to accelerate the United States' recovery from the catastrophic economic and public health impacts brought on by the COVID-19 pandemic.

ARPA specifically allocates \$130.2 billion, through the U.S. Department of Treasury, to Cities and Counties; providing once-in-a-generation opportunities for participating communities to make vital investments in infrastructure, public health, and economic revitalization. Each ARPA funded project presents a unique set of complexities and will require City and Counties to have tailored solutions and work levels for successful execution, compliance with federal and state requirements, and schedule adherence.

## GrantWorks' ARPA Services

GrantWorks provides comprehensive professional administration, project selection, implementation, and financial management services to help Cities and Counties of all sizes manage ARPA funding. We offer expertise in the following areas:

- Program/Project Management
- Stakeholder Engagement and Management
- State and U.S. Treasury Portal Support
- Project Selection and Design
- Project Implementation and Management
- Subrecipient Management
- Financial Management
- Procurement
- Environmental Requirements



## ARPA Program Management 12 Step Strategy

Download the GrantWorks 12 Step Process for successful ARPA Program Management to learn more about how we have acquired over \$350 million in program funds for our over 450 government customers.

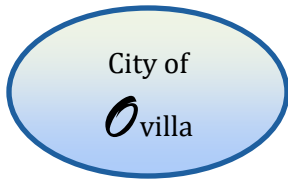
[Download Now](#)



- Compliance and Audit  
Readiness Support
- Recordkeeping and Reporting
- Contract Close-out

Our team is ready to help you meet your ARPA goals.

[Contact Us](#)



## AGENDA ITEM REPORT Item 7

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☒ City Attorney

☒ Finance Director

☒ Other: Birkhoff.

### AGENDA ITEM:

**ITEM 7. DISCUSSION/ACTION** – Consideration of and action on providing staff with a directive to prepare and publish a Request for Qualifications for engineering services in relation to the FM 664 widening project requiring the relocation of city utilities.

### Attachments:

1. Birkhoff Hendricks and Carter 664 relocation of utilities

### Discussion / Justification:

**Background:** With the TxDOT widening FM664 project and the city's responsibility for the relocation of utilities, it is necessary to prepare a *request for qualifications* for an engineering firm to assist the city with this project. Birkhoff's firm advises the city that they have knowledge and experience with state utility relocation projects and would like to contract with us for this project.

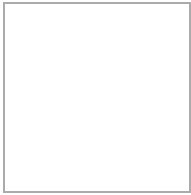
The city will use the second deposit of ARP funds (\$500,000) to assist with this project.

### Recommendation / Staff Comments:

Staff Recommends: Approval

### Sample Motion(s):

I move to approve/deny a directive to prepare and publish a Request for Qualifications for engineering services in relation to the FM 664 widening project requiring the relocation of utilities.



**BIRKHOFF, HENDRICKS & CARTER, L.L.P.**  
**PROFESSIONAL ENGINEERS**

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

www.bhcllp.com

JOHN W. BIRKHOFF, P.E.  
GARY C. HENDRICKS, P.E., R.P.L.S.  
JOE R. CARTER, P.E.  
MATT HICKEY, P.E.  
ANDREW MATA, JR., P.E.

DEREK B. CHANEY, P.E., R.P.L.S.  
CRAIG M. KERKHOFF, P.E.  
JUSTIN R. IVY, P.E.  
COOPER E. REINBOLD, P.E.

July 29, 2022

Mr. James Kuykendall  
Director of Public Works  
105 S. Cockrell Hill Road  
Ovilla, Texas 75154

RE: TxDOT F.M. 664 Improvements  
Utility Conflicts and Relocations

Dear Mr. Kuykendall:

As requested by the City, we have completed a Utility Conflict Analysis to determine the extent of City of Ovilla's utility relocations necessary to accommodate the proposed F.M. 664 Improvements proposed by the Texas Department of Transportation (TxDOT). The limits of this analysis extend from just north of Miranda Way to Malloy Road.

Attached is an exhibit that shows existing and proposed TxDOT FM 664 rights-of-way (ROW), the location of the City of Ovilla's existing water and sanitary sewer infrastructure and the conceptual recommended plan for the utility relocation effort. Each section of recommended water and sanitary sewer relocation has been affixed with a project number (W# or S#) for reference.

Enclosed is our budgetary engineer's opinion of probable project cost for each project number identified on the exhibit. The project cost includes allowance of 20% for contingency, miscellaneous items and inflation adjustments, 15% for engineering and other professional fees, and 2.5% for construction inspection and materials testing services. It does not include costs for land rights acquisition for new utility easements and costs for land rights agent (budget for agent is in the range of \$3-4k per property parcel), as it was assumed most existing utilities are in existing ROW and new utilities will be in proposed ROW. It also does not include reimbursement costs from TxDOT for any existing easements.

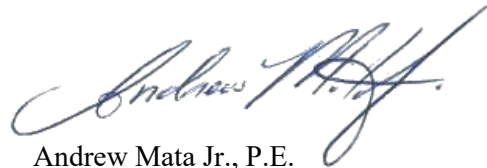
Our total opinion of the probable project cost for the required utility relocations is in the range of \$3,787,000.

We recommend the City consider the following next steps:

1. Meet with TxDOT to present findings and initiate the F.M. 664 utility agreement.
2. Work with TxDOT to secure the F.M. 664 utility agreement and project timing.
3. Budget for and implement relocations.

We are available to discuss this evaluation, our recommendations and opinion of probable project cost further at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew M. Jr.", with a stylized flourish at the end.

Andrew Mata Jr., P.E.

Enclosures:

**CITY OF OVILLA, TEXAS  
FM 664 UTILITY RELOCATION  
CONCEPTUAL PROJECT BUDGET COST**

**City of Ovilla Responsibility**

Description	Water Line Project					Item Total	Construction Cost
	W-1	W-2	W-3	W-4	W-5		
Furnish & Install 6" Water Line By Open Cut		100		1,100	1,600	2,800	<b>\$308,000</b>
Other than Open Cut w/ 12" Steel Encasement Pipe	200					200	<b>\$100,000</b>
Other than Open Cut w/ 16" Steel Encasement Pipe					200	200	<b>\$120,000</b>
Furnish & Install 12" Water Line By Open Cut			500			500	<b>\$100,000</b>
Furnish & Install 12" Water Line By Other than Open Cut w/ 20" Steel			200			200	<b>\$160,000</b>
Furnish & Install 16" Water Line By Open Cut					3,000	3,000	<b>\$1,050,000</b>
<b>Subtotal</b>	<b>200</b>	<b>100</b>	<b>700</b>	<b>1,100</b>	<b>4,800</b>	<b>6,900</b>	<b>\$1,838,000</b>

**City of Ovilla Responsibility**

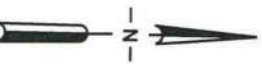
Description	Sanitary Sewer Project					Item Total	Construction Cost
	S-1	S-2	S-3	S-4	S-5		
Furnish & Install 3" Sanitary Sewer Line By Open Cut	4,200					4,200	<b>\$420,000</b>
Furnish & Install 3" Sanitary Sewer Line By Other Than Open Cut	150		200			350	<b>\$122,500</b>
Furnish & Install 6" Sanitary Sewer Line By Open Cut				300	900	1,200	<b>\$180,000</b>
Furnish & Install 6" Sanitary Sewer Line By Other Than Open Cut					150	150	<b>\$75,000</b>
Relocation of Sanitary Sewer Manhole and Sanitary Sewer line		1				1	<b>\$50,000</b>
<b>Subtotal</b>	<b>4,350</b>	<b>1</b>	<b>200</b>	<b>300</b>	<b>1,050</b>	<b>5,900</b>	<b>\$847,500</b>

**CITY OF OVILLA, TEXAS  
FM 664 UTILITY RELOCATION  
CONCEPTUAL PROJECT BUDGET COST**

**City of Ovilla Total Budget Costs**

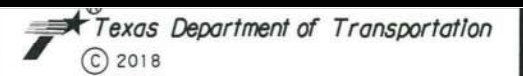
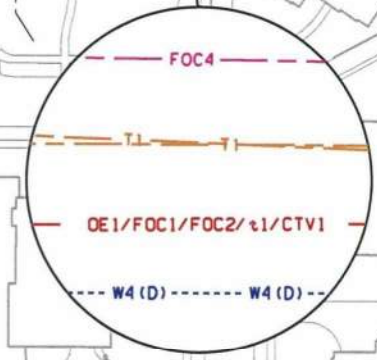
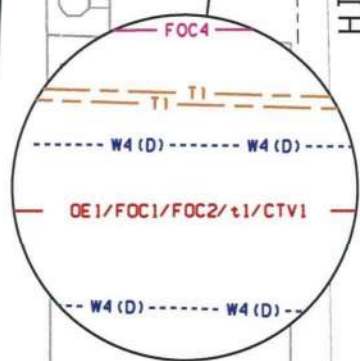
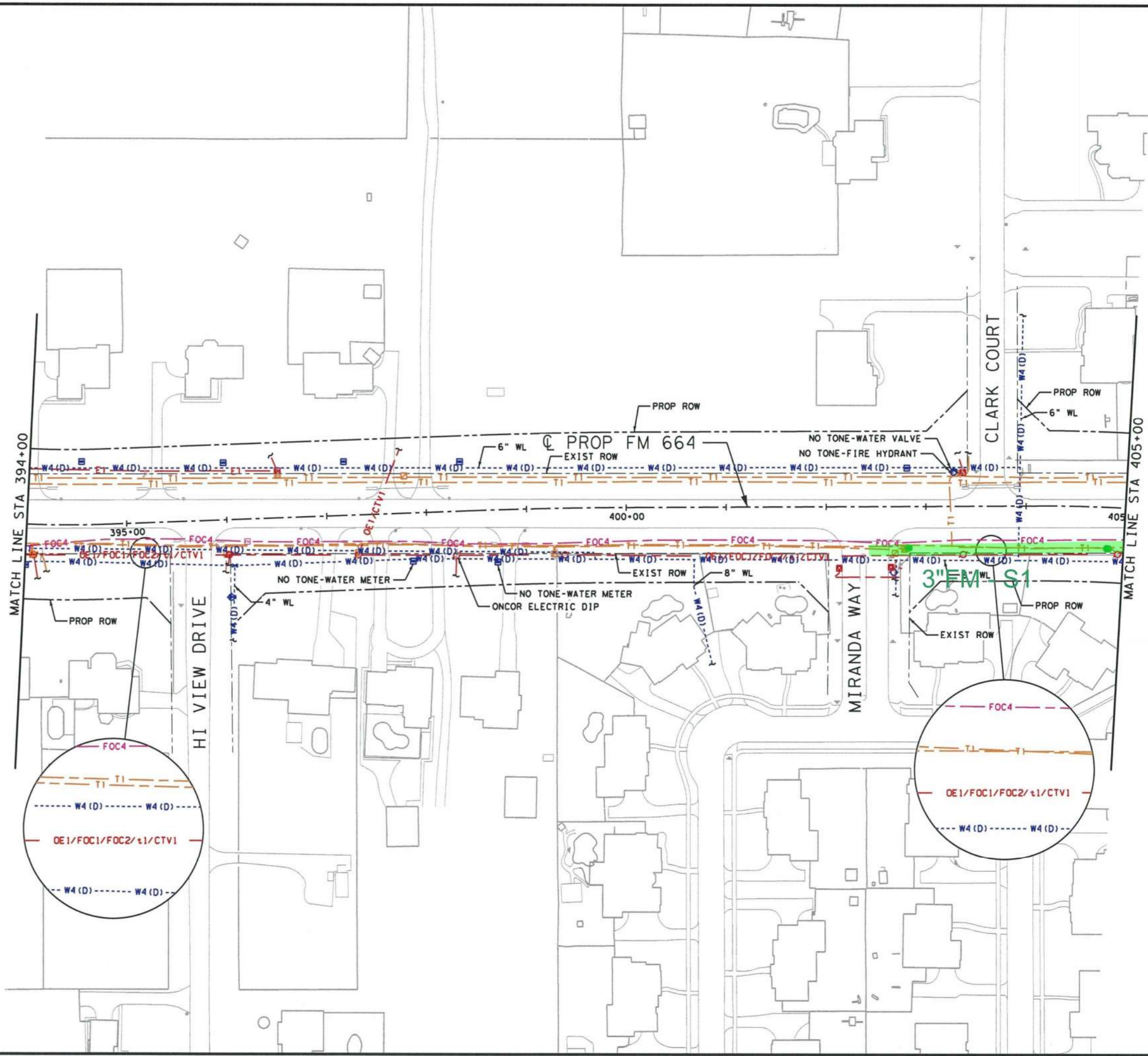
Description	Water Line Project										Cost
	W-1	W-2	W-3	W-4	W-5	S-1	S-2	S-3	S-4	S-5	
<b>Construction Cost Subtotal</b>	<b>\$100,000</b>	<b>\$11,000</b>	<b>\$260,000</b>	<b>\$121,000</b>	<b>\$1,346,000</b>	<b>\$472,500</b>	<b>\$50,000</b>	<b>\$70,000</b>	<b>\$45,000</b>	<b>\$210,000</b>	<b>\$2,685,500</b>
Contingencies and Miscellaneous Items(20%)	\$20,000	\$2,200	\$52,000	\$24,200	\$269,200	\$94,500	\$10,000	\$14,000	\$9,000	\$42,000	<b>\$537,100</b>
<b>Construction Cost Total</b>	<b>\$120,000</b>	<b>\$13,200</b>	<b>\$312,000</b>	<b>\$145,200</b>	<b>\$1,615,200</b>	<b>\$567,000</b>	<b>\$60,000</b>	<b>\$84,000</b>	<b>\$54,000</b>	<b>\$252,000</b>	<b>\$3,222,600</b>
Engineering and Professional Fees(15%)	\$18,000	\$1,980	\$46,800	\$21,780	\$242,280	\$85,050	\$9,000	\$12,600	\$8,100	\$37,800	<b>\$483,390</b>
Construction Inspection & Material Testing Services(2.5%)	\$3,000	\$330	\$7,800	\$3,630	\$40,380	\$14,175	\$1,500	\$2,100	\$1,350	\$6,300	<b>\$80,565</b>
<b>Total Cost</b>	<b>\$141,000</b>	<b>\$15,510</b>	<b>\$366,600</b>	<b>\$170,610</b>	<b>\$1,897,860</b>	<b>\$666,225</b>	<b>\$70,500</b>	<b>\$98,700</b>	<b>\$63,450</b>	<b>\$296,100</b>	<b>\$3,786,555</b>

**TOTAL PROJECT BUDGET COST USE:      \$3,787,000**



NOTES:  
1. SEE SHEET 4 FOR LEGEND

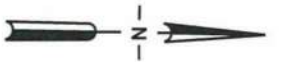
LEVEL "B"	6,243
LEVEL "D"	3,127
LEVEL "C"	1,252
TOTAL	10,622



FM 664 (US 287 to FM 1387)				
FM 664 EXISTING UTILITY PLANS STA 394+00 TO STA 405+00				
SCALE: 1" = 100'				
DESIGN	FED. RD. DIST. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.	
LTRA	-	SEE TITLE SHEET	FM 664	
GRAPHICS	STATE	DISTRICT	COUNTY	SHEET NO.
LTRA	TEXAS	DAL	ELLIS	33
CHECK	CONTROL	SECTION	JOB	
LTRA	1051	01	038,052,027	

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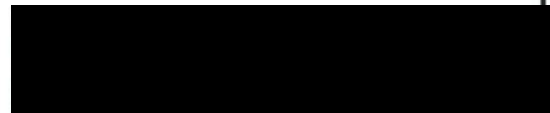
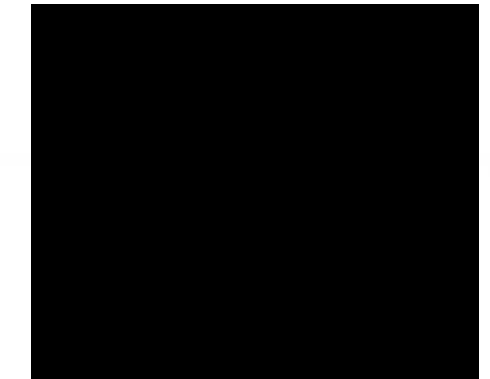
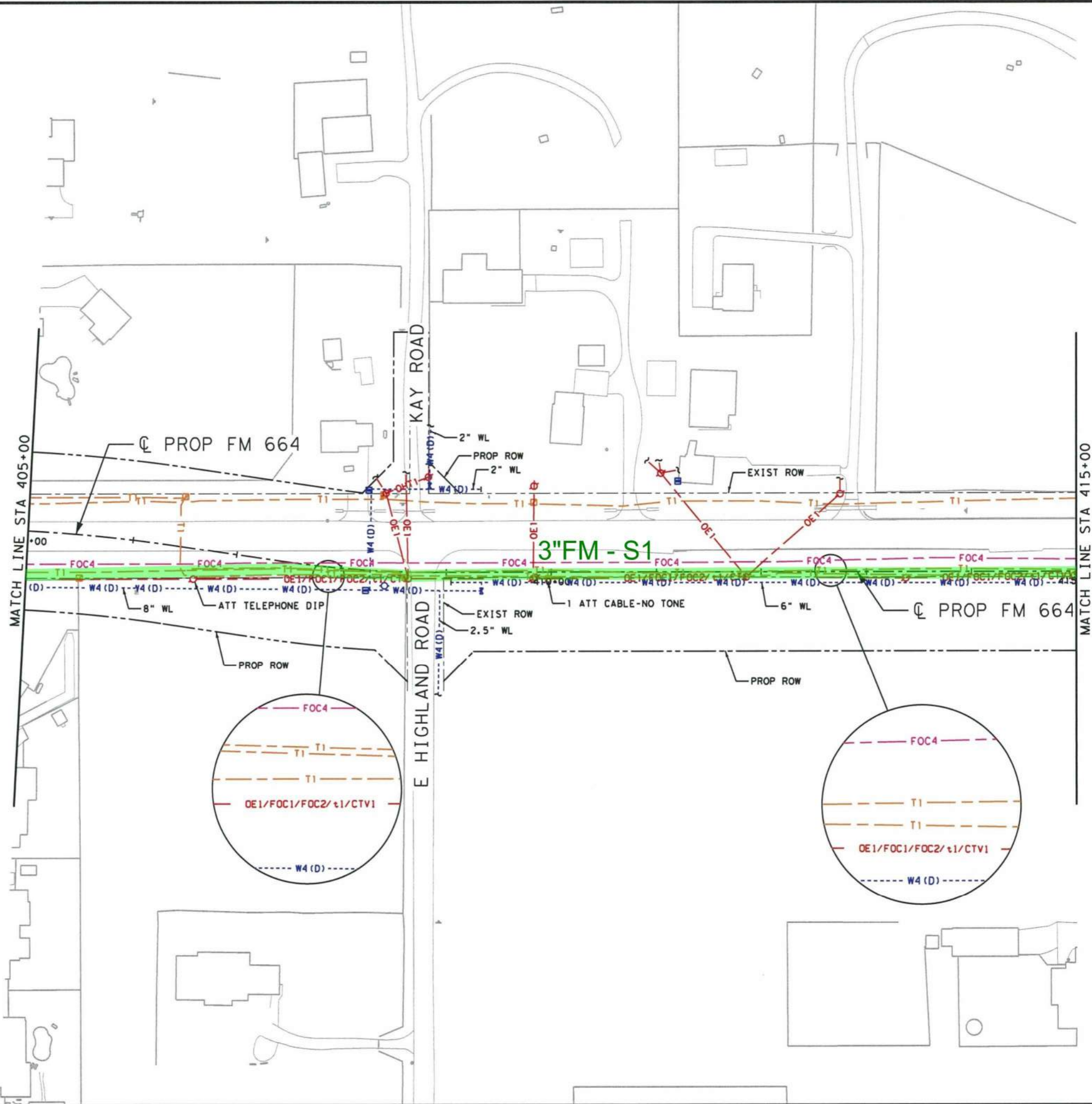



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SCALE IN FEET

NOTES:

1. SEE SHEET 4 FOR LEGEND

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LEVEL "D" 1,458  
LEVEL "C" 1,876  
TOTAL = 7,646



 Texas Department of Transportation  
© 2018

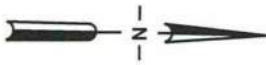
FM 664 (US 287 to FM 1387)

FM 664  
EXISTING UTILITY PLANS  
STA 405+00 TO STA 415+00

SCALE: 1" = 100'

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GRAPHICS	-	STATE	DISTRICT	COUNTY
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CHECK	-	CONTROL	SECTION	JOB
LTRA	-	1051	01	038,052,027
CHECK	-	34		
LTRA	-	34		



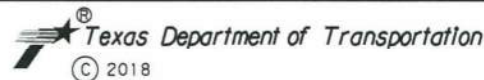
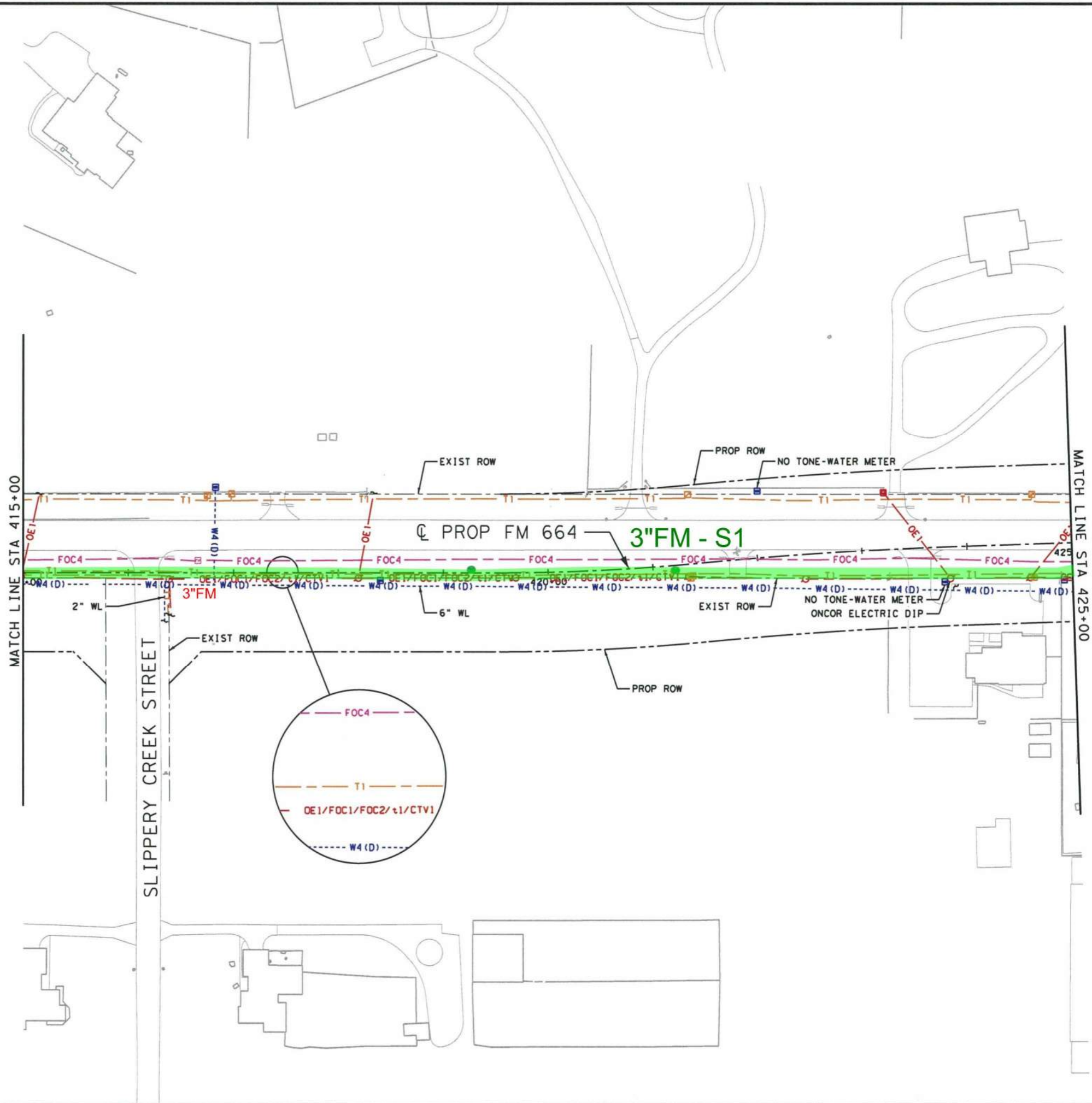


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SCALE IN FEET

NOTES:

1. SEE SHEET 4 FOR LEGEND

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LEVEL "D" 1,724  
LEVEL "C" 1,449  
TOTAL 6,381

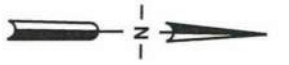


FM 664 (US 287 to FM 1387)

FM 664  
EXISTING UTILITY PLANS  
STA 415+00 TO STA 425+00

SCALE: 1" = 100'

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GRAPHICS	-	-	-
LTRA	STATE	DISTRICT	COUNTY
CHECK	TEXAS	DAL	ELLIS
LTRA	CONTROL	SECTION	JOB
CHECK	1051	01	038,052,027
LTRA	-	-	35

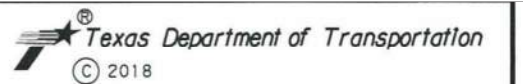
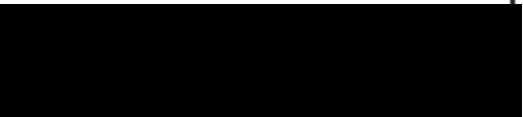
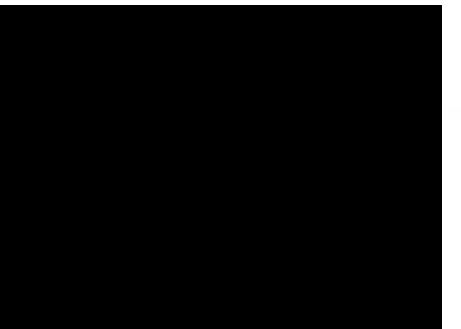
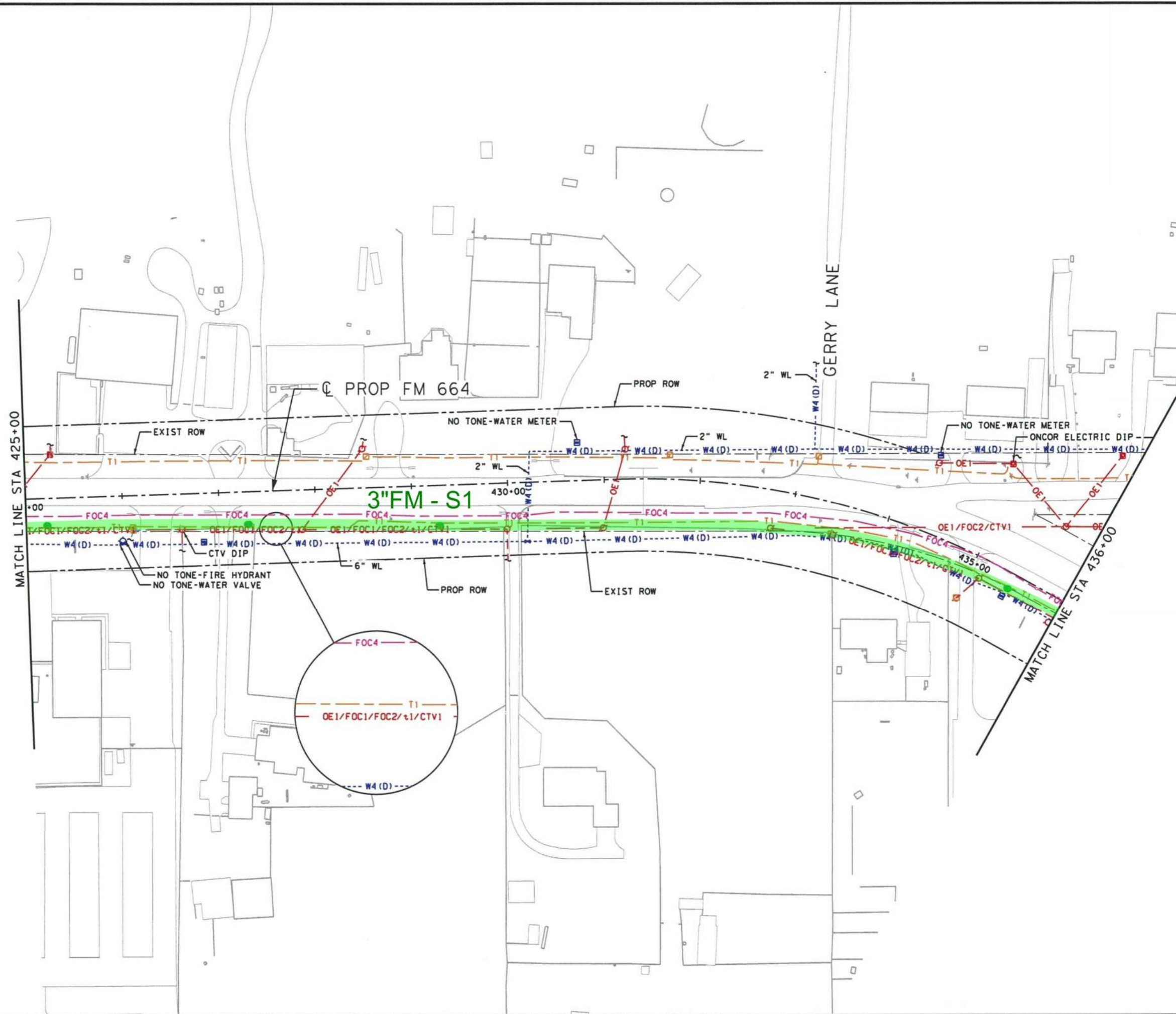


0 50 100  
SCALE IN FEET

NOTES:

1. SEE SHEET 4 FOR LEGEND

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LEVEL "D" 1,906  
LEVEL "C" 1,955  
TOTAL = 7,285



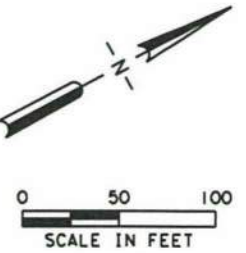
FM 664 (US 287 to FM 1387)

**FM 664**  
**EXISTING UTILITY PLANS**  
**STA 425+00 TO STA 436+00**

SCALE: 1" = 100'

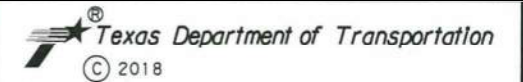
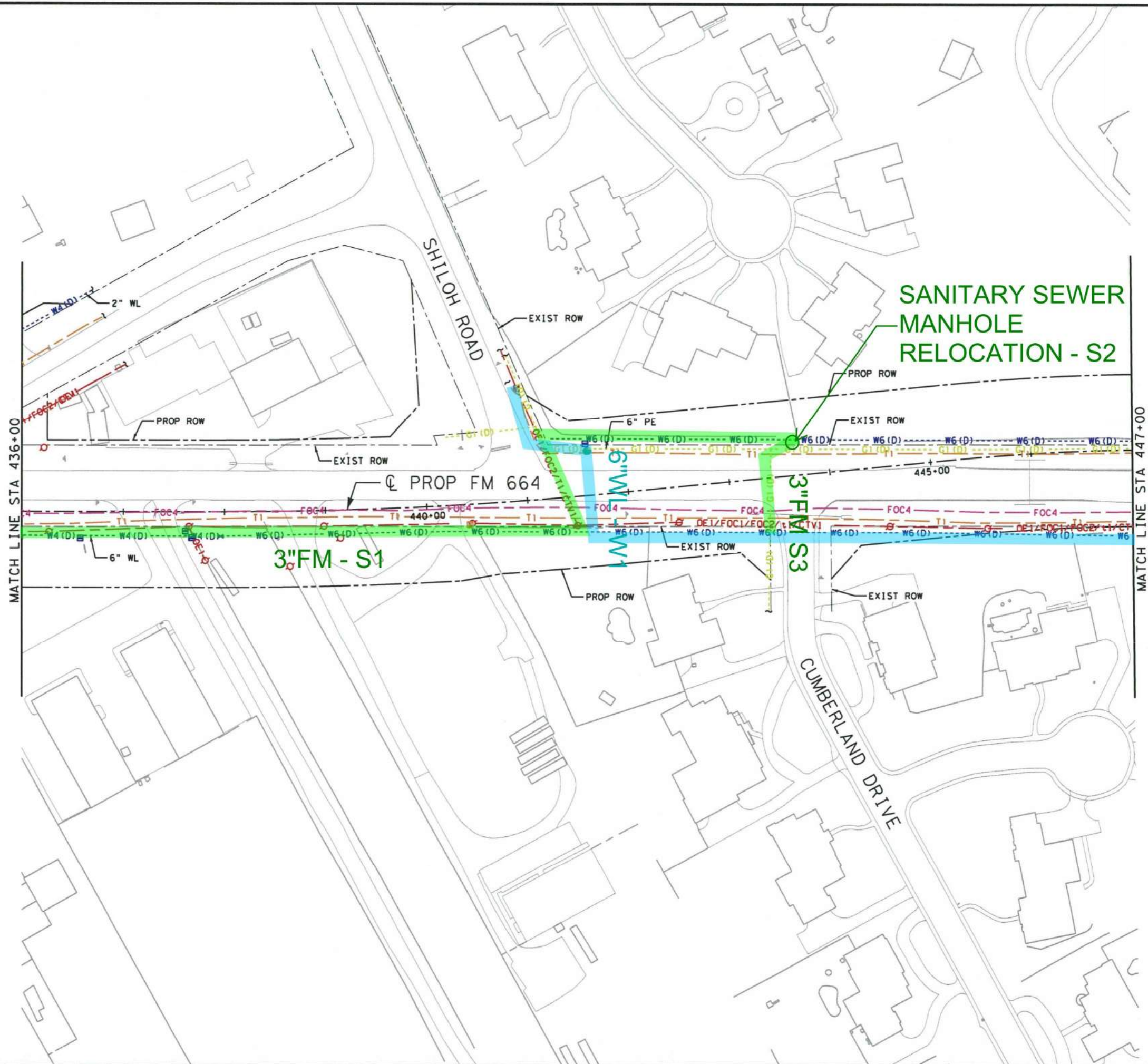
DESIGN	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
LTRA	-	SEE TITLE SHEET	FM 664
GRAPHICS	-	-	-
LTRA	STATE	DISTRICT	COUNTY
CHECK	TEXAS	DAL	ELLIS
LTRA	CONTROL	SECTION	JOB
CHECK	1051	01	038,052,027
LTRA	-	-	36





NOTES:  
1. SEE SHEET 4 FOR LEGEND

LEVEL "B"	2,857
LEVEL "D"	1,209
LEVEL "C"	1,416
TOTAL =	5,482



FM 664 (US 287 to FM 1387)

**FM 664**  
**EXISTING UTILITY PLANS**  
**STA 436+00 TO STA 447+00**

SCALE: 1" = 100'

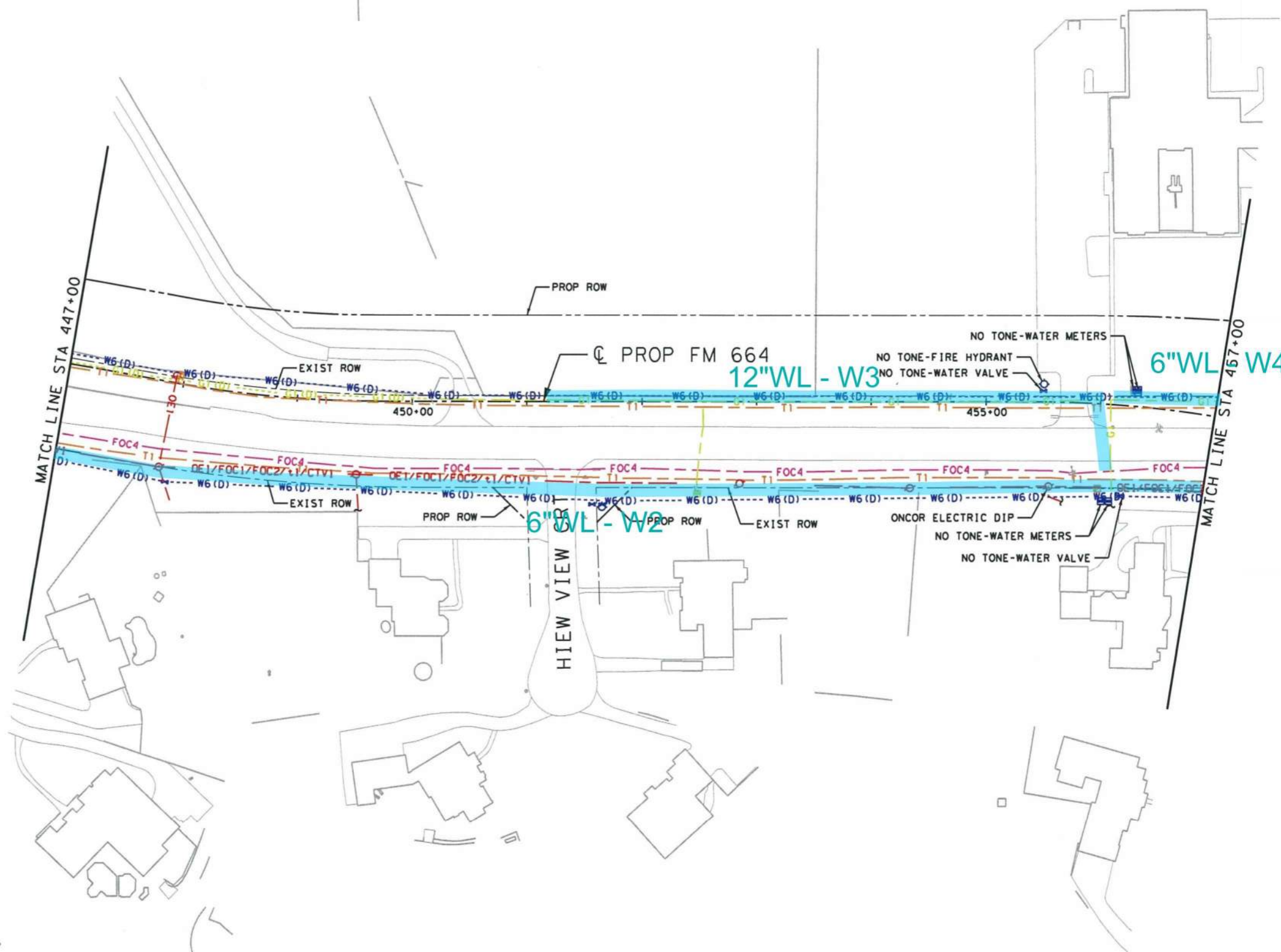
DESIGN	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
LTRA	-	SEE TITLE SHEET	FM 664
GRAPHICS	STATE	DISTRICT	COUNTY
LTRA	TEXAS	DAL	ELLIS
CHECK	CONTROL	SECTION	JOB
LTRA	1051	01	038,052,027
			37



NOTES:

1. SEE SHEET 4 FOR LEGEND

LEVEL "B"	3,870
LEVEL "D"	317
LEVEL "C"	1,164
TOTAL =	5,351



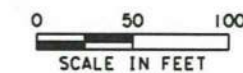
FM 664 (US 287 to FM 1387)

FM 664  
EXISTING UTILITY PLANS  
STA 447+00 TO STA 457+00

SCALE: 1" = 100'

DESIGN	FED. RD. DIST. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
LTRA	-	SEE TITLE SHEET	FM 664
GRAPHICS	STATE	DISTRICT	COUNTY
LTRA	TEXAS	DAL	ELLIS
CHECK	CONTROL	SECTION	JOB
LTRA	1051	01	038,052,027
			SHEET NO. 38

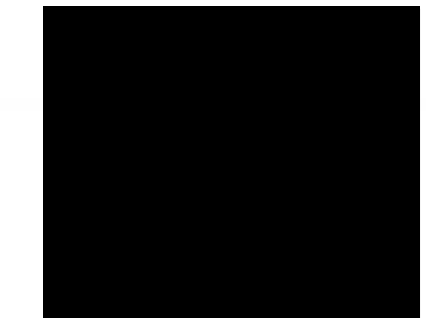
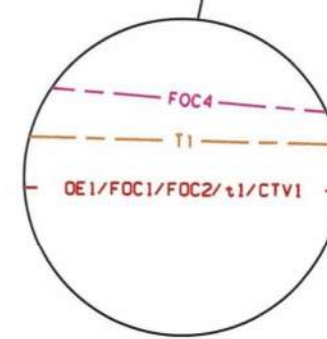
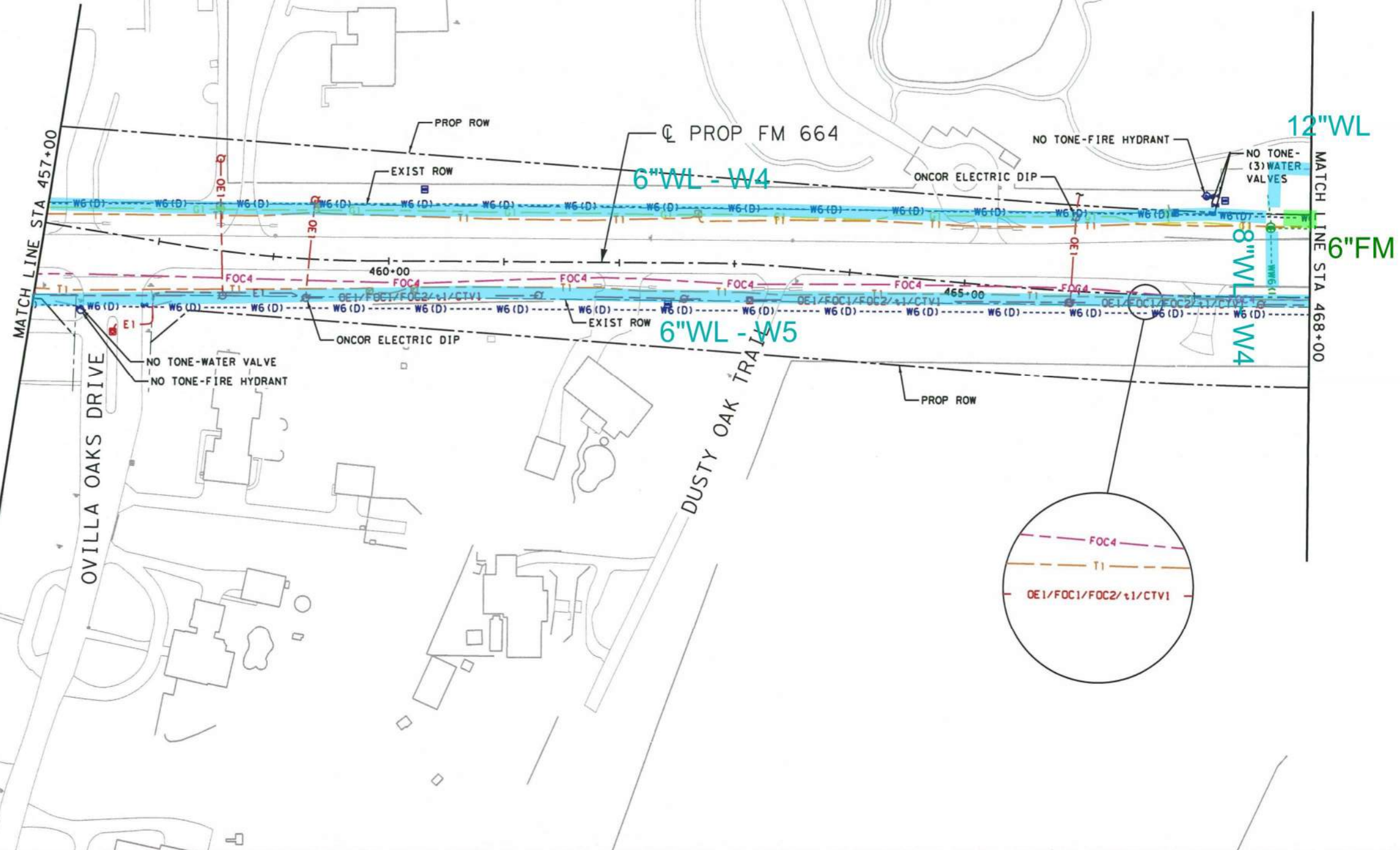




NOTES:

1. SEE SHEET 4 FOR LEGEND

LEVEL "B"	4,573
LEVEL "D"	0
LEVEL "C"	1,343
TOTAL =	5,916



FM 664 (US 287 to FM 1387)

FM 664  
EXISTING UTILITY PLANS  
STA 457+00 TO STA 468+00

SCALE: 1" = 100'				
DESIGN	FED. RD. DIV. NO.	FEDERAL AID PROJECT NO.		HIGHWAY NO.
LTRA	-	SEE TITLE SHEET		FM 664
GRAPHICS	-	DISTRICT	COUNTY	SHEET NO.
LTRA	STATE	TEXAS	DAL	ELLIS
CHECK	CONTROL	SECTION	JOB	
LTRA	1051	01	038,052,027	39



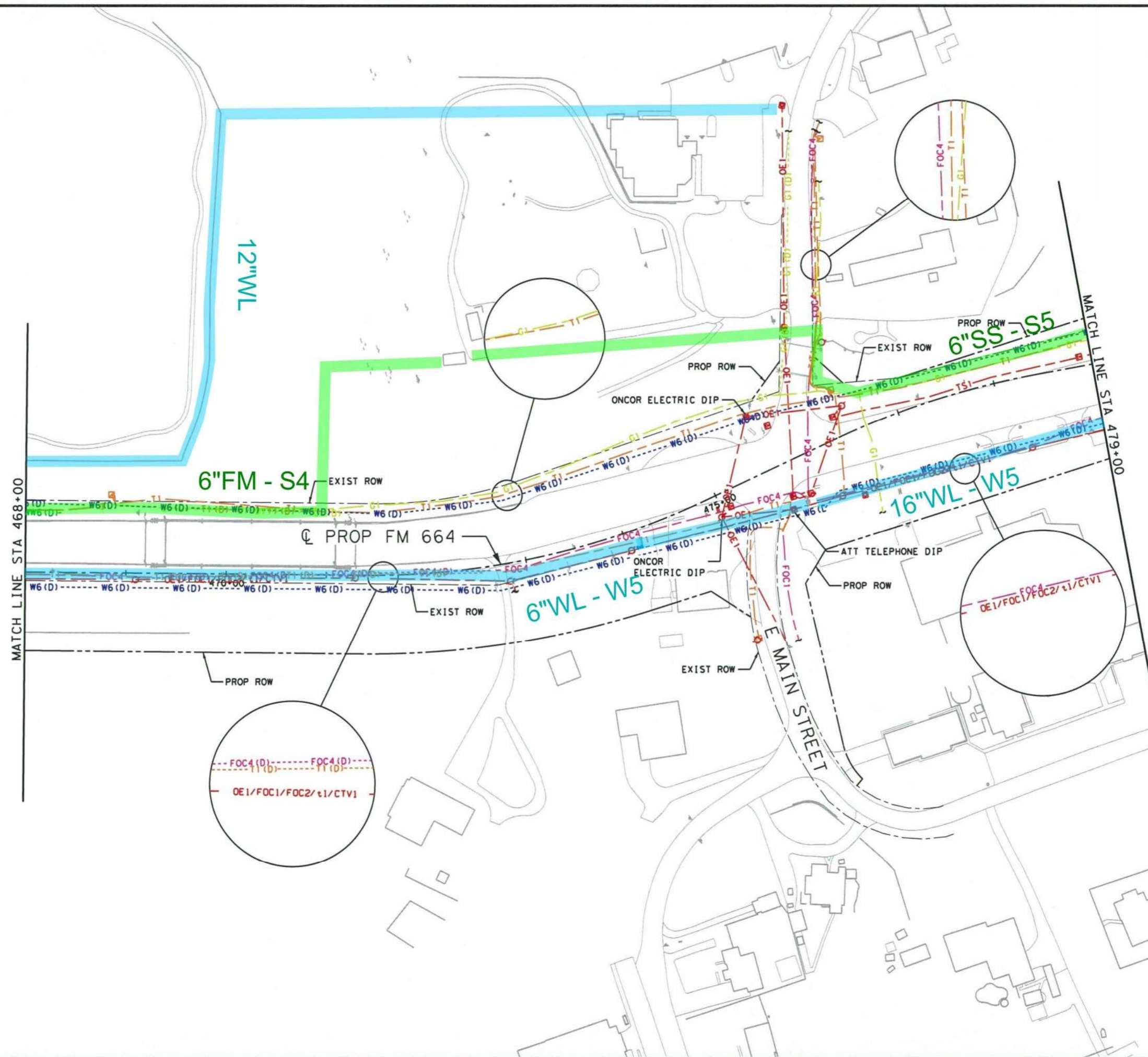


0 50 100  
SCALE IN FEET

NOTES:

1. SEE SHEET 4 FOR LEGEND

LEVEL "B"	4,748
LEVEL "D"	1,341
LEVEL "C"	2,241
TOTAL	8,330

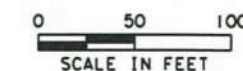


FM 664 (US 287 to FM 1387)

**FM 664**  
**EXISTING UTILITY PLANS**  
**STA 468+00 TO STA 479+00**

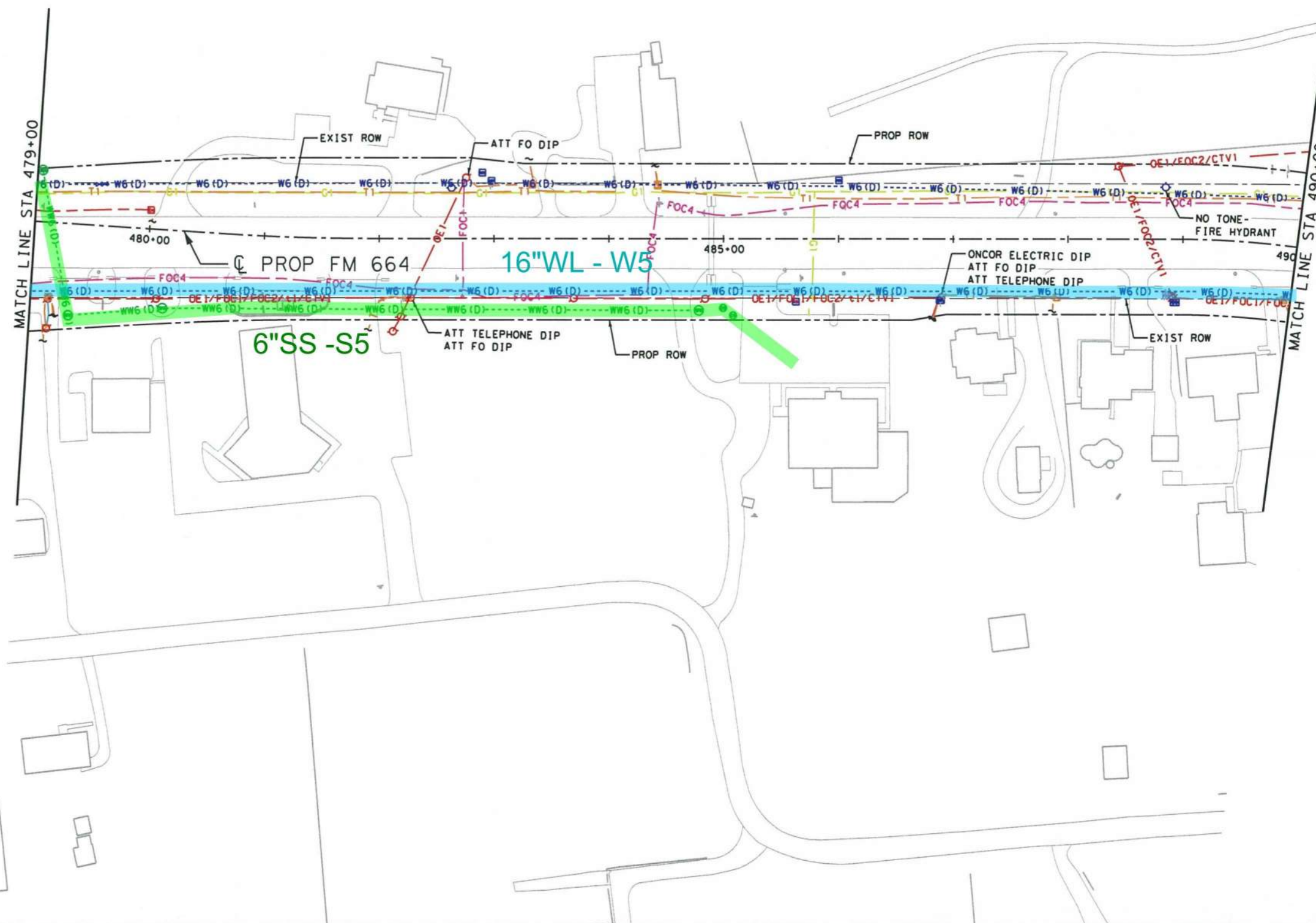
SCALE: 1" = 100'

DESIGN	FED. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
LTRA	-	SEE TITLE SHEET	FM 664
GRAPHICS	-	-	-
LTRA	STATE	DISTRICT	COUNTY
CHECK	TEXAS	DAL	ELLIS
LTRA	CONTROL	SECTION	JOB
CHECK	1051	01	038,052,027
LTRA	-	-	40



1. SEE SHEET 4 FOR LEGEND

LEVEL "B"	4,088
LEVEL "D"	0
LEVEL "C"	1,589
TOTAL =	5,677





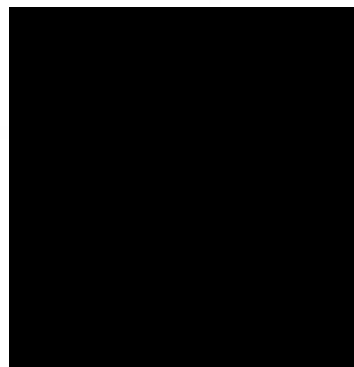


0 50 100  
SCALE IN FEET

NOTES:

1. SEE SHEET 4 FOR LEGEND

LEVEL "B" 7,119  
LEVEL "D" 0  
LEVEL "C" 1,235  
TOTAL = 8,354



FM 664 (US 287 to FM 1387)

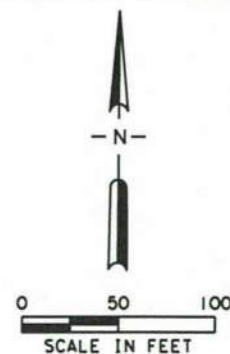
FM 664  
EXISTING UTILITY PLANS  
STA 490+00 TO STA 501+00

SCALE: 1" = 100'

DESIGN	FED. RD. DIST. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
LTRA	-	SEE TITLE SHEET	FM 664
GRAPHICS	-	-	-
LTRA	STATE	DISTRICT	COUNTY
CHECK	TEXAS	DAL	ELLIS
LTRA	CONTROL	SECTION	JOB
CHECK	1051	01	038,052,027
LTRA	-	-	42

shd1bz02d0n  
12:00:46 PM  
11/22/2018  
N:\CADD\PROJECTS\SUE\FM664\SUE\DOWN SHEETS\FM 664\664-UL-038.dgn





NOTES:

1. SEE SHEET 4 FOR LEGEND

LEVEL "B" 1,376  
LEVEL "D" 1,027  
LEVEL "C" 1,591  
TOTAL = 3,994



FM 664 (US 287 to FM 1387)

FM 664  
EXISTING UTILITY PLANS  
STA 501+00 TO STA 512+00

SCALE: 1" = 100'

DESIGN	FED. RD. DIST. NO.	FEDERAL AID PROJECT NO.	HIGHWAY NO.
LTRA	-	SEE TITLE SHEET	FM 664
CHECK	STATE	DISTRICT	COUNTY
LTRA	TEXAS	DAL	ELLIS
CHECK	CONTROL	SECTION	JOB
LTRA	1051	01	038,052,027

Client: DALLA  
Project: FM 664  
UTILITY RELOCATION  
Job Code: \_\_\_\_\_ Page: \_\_\_\_\_ of \_\_\_\_\_  
By: \_\_\_\_\_ Date: 7/21/2022

## MINIMUM UTILITY RELOCATIONS

### WATER

### SEWER

W1 1. 6" WL XING AT SHILOH ✓

S1

1. 3" FM  
(MIRANDA TO SHILOH M.H.)

W2 2. 6" WL XING AT HIEW VIEW

S2

2. RELOCATE M.H.  
(AT SHILOH)

W3 3. 12" WL (NORTH)

S3

3. 3" FM CROSSING (LOWERS)  
(CUMBERLAND)

W4 4. 6" WL (HIEW VIEW TO  
SOUTH DUSTY)

S4

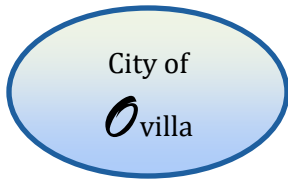
4. 6" FM (AT RED OAK  
CREEK  
(SMALL SECTION))

W5 5. 6" WL SOUTH OF DALLA  
DAIES

S5

5. 6" S.S. MAIN ST  
TO VET CLINIC

RELOCATE 6" WL & 8"  
FROM MAIN TO MALLOY  
W/ 16" WL?  
(40R16)



# Ovilla City Council

## AGENDA ITEM REPORT Item 8

Meeting Date: December 12, 2022

Department: Administration

☒ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted By: Staff

Reviewed By: ☒ City Manager

☒ City Secretary

☐ City Attorney

☐ Finance Director

☐ Other:

### AGENDA ITEM:

**ITEM 8. DISCUSSION/ACTION** – Consideration of any items(s) pulled from the Consent Agenda for individual consideration and action.

### Attachments:

None

### Discussion / Justification:

All consent items are attached for Council consideration. Any items pulled from the Consent agenda will be reviewed under this item.

### Recommendation / Staff Comments:

Staff Recommends: Approval

### Sample Motion(s):

I move to approve.....

12.12.2022

## Executive Session

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To  
Honorable Mayor and Council

From  
Staff

CC  
Applicable Departments

**ES ITEM 1. DISCUSSION/ACTION** – Closed Session - Called pursuant to Section 551.074 (1) of the Texas Government Code: Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Finance Director

City Manager

**City of Ovilla**

Tel 972-617-7262

105 S. Cockrell Hill Road  
Ovilla, Texas 75154

[www.cityofovilla.org](http://www.cityofovilla.org)





**OVILLA POLICE DEPARTMENT**  
**ACTIVITY REPORT / NOVEMBER 2022**



J. Bennett, Chief of Police

OVILLA POLICE DEPARTMENT  
MONTHLY REPORT / NOVEMBER 2022

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**PERSONNEL UPDATE:**

**Below is a list of our current staffing:**

CHIEF OF POLICE	(BENNETT)
LIEUTENANT	(GEISER)
SERGEANT	(BREEDLOVE)
SERGEANT	(ORTEGON)
PATROL OFFICER / DETECTIVE	(KRETLOW)
PATROL OFFICER	(MALKE)
PATROL OFFICER	(HARTIN)
PATROL OFFICER	(FLORES)
PATROL OFFICER	(RAMIRES)
PATROL OFFICER	(BRAVO)
PATROL OFFICER	(VACANT) ON HOLD UNTIL MID-2023.
ADMINISTRATIVE ASSISTANT	(VACANT)

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OVILLA POLICE DEPARTMENT  
MONTHLY REPORT / NOVEMBER 2022

---

1 – Felony Arrest

1 – DWI Arrest

1 – Mental Health Detention

248 - Total Traffic Stops. (Pretextual and Non-Pretextual)

69 - Total Citations issued.

Roughly 28% of ALL traffic stops received a citation.

Average Response time for NOVEMBER was 4 MINUTES, 39 SECONDS.

Subject: Police Department Monthly Activity Report

Calls For Service	November 2022	November 2022 YTD	November 2021	November 2021 YTD
Accident	2	46	6	53
Alarms	20	217	12	183
Arrest	2	44	3	30
Assault/Assault FV	3	16	0	6
Assists	44	839	65	817
Building / House Security Check	311	3482	246	4299
Burglary	4	10	0	3
Burglary of Motor Vehicle	0	5	0	2
Criminal Mischief	0	10	1	4
Disturbance	16	186	14	134
Neighborhood Check	707	8225	648	9265
Other Calls for Service	115	1541	76	971
Suspicious Person	9	123	6	93
Suspicious Vehicle	16	194	10	178
Theft	2	22	1	7
Traffic Assignment/School Enforcement	103	526	22	518
<b>TOTAL CALLS FOR SERVICE</b>	<b>1354</b>	<b>15486</b>	<b>1110</b>	<b>16563</b>

OVILLA POLICE DEPARTMENT  
MONTHLY REPORT / NOVEMBER 2022

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November 2022	TO	December	MILEAGE	MAINTENANCE PERFORMED
Police Unit #	Begin	End	Accrued	
116	116,840	117,566	<b>726</b>	
117	132,636	136,558	<b>3,922</b>	Oil Change
216	40,267	40,563	<b>296</b>	
119	69,172	73,587	<b>4,415</b>	
120	65,202	67,840	<b>2,638</b>	New Control Arm, 2 tires, Oil Change
220	62,481	64,391	<b>1,910</b>	Oil Change

END OF REPORT



# Ovilla Fire Department November Monthly Report



**Fire Chief Brandon Kennedy**

105 S. Cockrell Hill Road  
Ovilla Texas, 75154  
[cityofovilla.org](http://cityofovilla.org)

## Mission Statement

The mission of the Ovilla Fire Department is to provide services designed to protect citizens and property of the City of Ovilla and outlying areas. All persons and or departments requesting assistance from the Ovilla Fire Department because of the adverse effects of fire, medical emergencies, or hazardous conditions created by man or nature will be dealt with in a professional manner, consistent with the economic capability of the community.

## Summary of Staffing for the Department

- Currently the Department has 1 Firefighter Paramedic position open.
- Currently the Department has 0 Firefighter Basic position open.
- Currently the Department has 4 Volunteer Firefighter position open.
  
- Current Staffing
  - 2 Chiefs
  - 5 Captains
  - 24 Firefighter Paramedics
  - 6 Firefighter EMT-Basics
  - 8 Volunteer Firefighters
  - Total Staffing of 45 out of 50 positions
  
- Of the Volunteers on staff,
  - 3 of them are Dual Certified, meaning they have their Fire Certs and EMT Basic and or Paramedic
  - 0 have just their Fire Certs
  - 2 have just their EMT Basic or Paramedic
  - 3 Volunteers do not have any Certification currently.

## Grants Report

- Currently working on AFG paperwork to replace the station SCBA fill station. Projected cost of around 75K – 100K.
- Received reimbursement check for Bunker Gear in the amount of \$17,525.90. This was a cost share with 90% reimbursement and the city paid 10%.

## Summary of Events for the Department

- For the month of November, OFD made a total of 90 calls through dispatch, and several public service calls that were not dispatched. These public service calls come from a resident calling the station phone and needing assistance with smoke detector batteries. We are trying to reach out to the residents to let them know we can assist them with smoke detector batteries and installation. We will not purchase them but if they purchase the detector and or batteries, we will be happy to assist them.
- To date for this year, we have run 1043 calls for service, an average of 95 per month, and are projected to run over 1100 this year.
- Siren Testing complete, and all are working properly.
- **New Brush Truck update – We are still waiting for the chassis to be delivered to start production. Anticipate budgeting for it again in the 23-24 FY.**

## Summary of Staffing for the Month

- 7 days a week we have 3 - 24-hour part time positions (0800 – 0800)
- These positions were 100% filled this month.
- 7 Days a week we have 2 – 12-hour shifts that are covered by volunteers (0800 – 2000) and (2000 – 0800)
- 39 / 60 Volunteer shifts were covered, and these 39 shifts we had 4 personnel on the Engine. Numbers are down this month due to pulling a couple of Volunteers to the paid side to help fill shifts.

## Monthly Call Summary

INCIDENT COUNT		
INCIDENT TYPE		# INCIDENTS
EMS		54
FIRE		36
TOTAL		90
CO CHECKS		
746 - Carbon monoxide detector activation, no CO		1
TOTAL		1
MUTUAL AID		
Aid Type		Total
Aid Given		7
Aid Received		1
OVERLAPPING CALLS		
# OVERLAPPING		% OVERLAPPING
6		6.67
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)		
Station	EMS	FIRE
Station 701	0:07:12	0:06:56
AVERAGE FOR ALL CALLS		0:07:11
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Station 701	0:01:17	0:01:21
AVERAGE FOR ALL CALLS		0:01:20
AGENCY		AVERAGE TIME ON SCENE (MM:SS)
Ovilla Fire Department		22:21

**Fleet Report**

<b>Ovilla Fire Department Mileage, Fuel and Maintenance Report for November</b>					
<b>Apparatus</b>	<b>Beginning Mileage</b>	<b>Ending Mileage</b>	<b>Mileage for the Month</b>	<b>Fuel Expenses</b>	<b>Maintenance Expenditures</b>
B701	61,082	61,166	84	\$ 64.35	\$ -
B702	-	-	0	\$ -	\$ -
C701	42,168	42,350	182	\$ 62.00	\$ 421.85
C702	15,090	15,385	295	\$ 91.00	\$ -
S701	114,648	114,710	62	\$ -	\$ -
E701	33,832	34,038	206	\$ 273.57	\$ -
E702	35,640	35,853	213	\$ 559.65	\$ -
Training E703	-	-	0	\$ -	\$ -
R755	22,997	23,017	20	\$ 87.16	\$ -
Station Supplies (Small Equipment Fuel, Propane, Other)				\$ -	\$ -
Totals for the Month			1,062	\$ 1,137.73	\$ 421.85

**Maintenance Cost Explanations:****No major expenses to report**

# PUBLIC WORKS DIRECTOR REPORT

**TO: Honorable Mayor and City Council Members, City Manager, Pam Woodall**

**FROM: James Kuykendall, Public Works Director**

**TOPIC: November 2022 Public Works Overview Report**

---

## **Employee Report**

One position frozen until April 2023

## **Public Works Project Overview**

We are fully operational with the new AMI metering system and have successfully billed our first month and identified and rectified issues. I would welcome all employees and the council to stop by Public Works and look at the system firsthand if you have any questions about the system. Public Works would like to thank all involved for helping make this happen.

## **Equipment**

Still waiting for the parks vehicle that was ordered

## **Water Department**

All regulatory samples were completed and tested negative and water quality tested.

- Total Work Orders Entered- 16
- Total Work Orders Completed - 13

## **Water Wholesale Purchased & Pumped - November 2022**

- Gallons Billed – 13.236.700 MGD
- Gallons Unbilled – 11.0 k
- Builder Billed – 3.0 k
- Maintenance Flushing – 750 K
- Gallons pumped – 15.200.000 MGD

All state requirements were completed for the month of November 2022.

## **Water Repairs**

631 William- Duration - Replaced leaking meter connection on customer side due to new meter installation. Parts used ¾” meter spud. Daniel & Dustin 11/09/22.

# PUBLIC WORKS DIRECTOR REPORT

523 Johnson Duration - Fixed leaking water main valve. Parts used 2" Brass gate valve, 2"x 6" Brass nipple x2, 2"x 3" Brass nipple and 2" 90deg Brass elbow. Crew (Water Daniel, Dustin) (Streets Johnny, Josh, Mario) 11/10/22.

711 W. Main (11/16) - Fixed 1 ½" cast iron water main in front of the cleaners. Materials used 2x 1 ½" dressers and 10ft sections of pvc scd40. Crew Daniel, Dustin (Streets Mario, Hunter).

Smart Meters – Worked on replacing a few endpoints that had factory defects, responded to meter tampers, met with customers about leaks that showed up because of the new meters.

## **Daily Sampling and Monitoring**

- Sixteen Water cutoffs – Water cutoffs were performed.
- Daily water sampling and pump station site check. (State Requirement)
- Daily Monitoring Chemical Feed - CL2 & NH3 feed rate and ratio check. (State Requirement)
- NAP Nitrification Action Plan performed daily @ 5 distribution locations. (State Requirement)
- Monthly TCEQ BACTI- water samples collected and sent to lab. (State Requirement)
- Performed calibration checks -chlorine meter & HACH SL1000 meter (State Requirement)
- Flushed dead end main's- Per state requirement.

## **Sewer Department**

Emergency Lift Station and Sewer Repairs

Heritage Lift station- Pulled pump #1 due to constant tripping and found lots of flushable wipes restricting the pump causing it to trip and fail.

Daily Site Checks of Lift Stations

- Highland Meadows Lift Station. (State Requirement)
- Daily site checks and maintenance at Cumberland Lift station. (State Requirement)
- Daily site checks and maintenance Heritage lift station. (State Requirement)
- Site Maintenance- Cleaned all stations and wet wells.
- Lift station preventive maintenance- Added lift station degreaser / Emulsifier once weekly to all stations as part of a maintenance program.

## **Construction Manager**

36 new building permits were issued this month including 1 for new single-family residential homes.

# PUBLIC WORKS DIRECTOR REPORT

## Bryson Manor Phase 3

- House plans are being submitted, reviewed, and approved.
- Homes are under construction throughout this phase that have been approved and issued to home builders.
- Phone conference with Massey Shaw's legal counsel on site issues.

## Broadmoor Estates Phase 1

- House plans are being submitted, reviewed, and approved.
- Homes are under construction throughout this phase that have been approved and issued to home builders.

## Broadmoor Estates Phase 2

Nothing to report.

## Hollywood Estates Lots 22-24

Circle H Utility contractor has installed 6" water line, one fire hydrant, and one water service for Lot 24. The water line has been pressurized and passed testing.

- Water line has been chlorinated and will take water samples soon
- Met with the owner of Lots 22 and 23. Housing packet information was given.

## **Parks and Facilities**

### Parks

All Parks are maintained and inspected monthly.

Heritage Park and Founders Park - trash removed and bathrooms cleaned

The baseball field/softball field are not scheduled for usage during times required to use lighting. Field maintenance and improvements continue on a regular basis.

Mowing of parks and city property is on a weekly schedule to maintain a groomed appearance. Heritage Park received additional attention this month in preparation for the Christmas tree lighting.

Planning is continuing for the walking trails at Founders Park.

The playground equipment for Silver Spur has been delivered with no date set for installation.

### Facilities

Update to marquee messages as needed. The new LED marquee is scheduled to start mid-January.



# PUBLIC WORKS DIRECTOR REPORT

## **Streets/Drainage**

### Drainage Projects

- Excavated drainage ditch 100 Elmwood Dr water runoff running towards house hauled off 6 dump trucks 36 yards of dirt.
- Excavated drainage ditch at 202 and 204 Lariat. Bar ditch silted in and hauled off 8 dump trucks 48 yards of dirt.
- Cleaned out Stormwater inlet 103 Bent Tree was overflowing during heavy rain.

### Street Projects

- Approximately 5 cu yards of cold mix asphalt was used to patch holes
- Restocked on cold mix asphalt picked up 6 tons
- Hauled off tree that fell during storm 733 Westmoreland
- Helped with Christmas light installation, banners, and getting ready for the Christmas tree lighting in the park.

### Right of Way Mowing

- Cockrell Hill Rd in front of Ashburne Glen entrances South towards 403 Cockrell Hill based on two hours two maintenance workers, zero turn mower and weed eater

## **Code enforcement**

2 illegal dumping's cleared by Code 3 -Illegal Dumping incidents cleared by Code Enforcement  
Trash on Johnson Lane and Red Oak Creek

## **Follow-Up**

Ovilla Auto – continue follow up on property mowed and maintained  
Lariat Trail – continue follow up  
Franks BBQ – area has been cleared and maintained by Franks BBQ

## **Animal control**

Animal Welfare checks have increased due to cold weather.  
3 Dogs Returned to owner  
Wildlife trapped and released – one possum

# PUBLIC WORKS DIRECTOR REPORT

Subject: Code Enforcement Monthly Report				January 2021	February 2021	March 2020	April 2020	May 2020	June 2020	July 2020	August 2020	September 2020	October 2020	November 2020	December 2020
	Nov 2022	Nov 2022 YTD	Nov 2021												
Calls For Service															
Complaint (Nuis 22 Permit 6 Parking 11)	39	390	45	23	17	38	58	46	64	66	71	40	41	45	36
Follow up	45	428	48	23	17	40	59	53	70	74	69	48	45	48	41
Door Notice (Nui - 11 Permit 1 Parking 4)	16	196	28	7	6	23	30	22	36	41	41	34	31	28	25
Mail Notice ( Parking 6 nuisance 9)	15	115	17	14	4	18	12	30	33	43	51	18	28	17	14
Posted Property (nuisance 1 grass 2)	2	31	9	4	2	4	23	20	13	17	17	7	9	9	7
Court (1 Public Nuisanc ,2 Parking ) FTA	\$0	\$2,254	\$150.00	211	0	175	642	0	1084	0	196	196	169	150	0
Citizen Contacts	61	485	48	51	37	78	62	74	71	67	74	28	52	48	46
Permits Reviewed	36	407	14	0	16	17	115	16	17	13	18	11	12	14	18
Permits Issued	29	381	11	0	12	11	11	11	14	10	12	9	9	11	11
Inspections	60	490	10	0	19	15	22	14	28	11	12	1	15	10	22
Nuisance Abated by City 1 Trash Johnson)	1	19	3	5	2	0	0	4	0	9	14	4	3	3	0
Nuisance Signs (Garage sale-11 business 42)	53	390	37	35	21	32	46	23	34	35	27	40	35	37	29
BOA - 0	0	2	0	2	0	1	2	2	0	0	0	0	2	0	0

Subject:Animal Control Monthly Report				January 2021	February 2021	March 2021	April 2020	May 2020	June 2020	July 2020	August 2020	September 2020	October 2020	November 2020	December 2020
	Nov 2022	Nov 2022 YTD	Nov 2021												
Calls For Service															
Complaint (Regist-9 At Large 15 Bark 1 )	26	308	26	21	23	31	32	33	39	25	34	29	37	26	18
Follow up	55	297	30	26	23	32	32	38	44	23	37	29	39	30	18
Door Notice (Regis-9, Bark 1 at large 2)	12	110	20	8	10	9	8	26	30	25	31	24	31	20	17
Impounded Animal (Dog 2,)	2	55	5	2	3	2	8	13	7	4	6	5	3	5	3
Animal welfare check	19	276	3	22	31	27	17	3	4	4	4	3	5	3	11
Impound Results (Transport 0 RTO 2 )	3	55	2	4	3	5	6	13	5	4	6	4	2	2	3
Impound fee collected	\$70.00	\$280.00	70	70	70	70	70	235	70	65	90	\$90.00	\$0	70	65
Court	\$0.00	\$0.00	0	0	0	0	0	129	0	0	0	0	\$0.00	\$0	0
Citizen Contacts	29	242	28	27	17	27	19	31	62	32	54	32	21	28	23
Animal registration	2	85	15	17	4	7	1	13	15	7	17	26	35	15	9
Registration Letter Mailed	18	156	24	18	15	21	0	22	26	22	23	24	27	24	23
Nuisance letter	2	26	2	3	1	2	2	5	1	3	2	1	1	2	1
Animals relo 1 ( possum)	1	44	2	1	2	5	5	2	2	7	3	4	5	2	2
Deceased removed	19	206	18	27	22	27	13	17	23	23	43	15	28	18	24
Oak Leaf - 1 Deceased Dog	1	11	1	2	1	1	2	7	0	0	0	2	2	1	0
Traps Checked Out	2	50	2	3	3	3	3	7	4	4	7	2	2	2	4



**Date: December 12, 2022**

**To: Honorable Mayor and Council Members**

**Subject: Financial Statement Summaries for  
October 1, 2022, thru October 31, 2022**

**This period covers 8% of the FY2023 Budget.**

**From:**

**Sharon Jungman – Finance Director**

## CITY-WIDE OPERATING FUND TOTALS

For FY2023 Oct. 2022 Thru Oct. 31, 2022



		FY2022	FY2023	FY2023	FY2023
		Actual	Actual	Adopted & Amended	% of Budget
		To Date	To Date	Budget	Used
<b>TOTAL REVENUES</b>					
100	General Fund	64,707	97,009	4,725,894	2%
110	Lease	-	-	1,100	0%
120	Street Improvement	7,344	9,367	103,000	9%
130	Court Technology	219	376	3,000	13%
140	Court Security	250	449	3,000	15%
200	Water & Utilities	184,796	174,070	1,806,199	10%
250	WWW Infrastructure Improv.	5,745	5,843	75,000	8%
400	Debt Service Fund	2,804	963	537,158	0%
500	Municipal Devel. District	8,371	11,176	114,500	10%
600	4B Economic Devel. Fund	15,260	19,190	203,000	9%
700	Park Impact Fund	-	1,673	18,400	9%
800	Water & Utilities Impact Fund	-	19,512	495,155	4%
<b>Total</b>		<b>\$ 289,494</b>	<b>\$ 339,627</b>	<b>\$ 8,085,406</b>	<b>4%</b>

		FY2022	FY2023	FY2023	FY2023
		Actual	Actual	Adopted & Amended	% of Budget
		To Date	To Date	Budget	Used
<b>TOTAL EXPENDITURES</b>					
100	General Fund	271,901	300,300	4,725,894	6%
110	Lease	-	-	1,100	0%
120	Street Improvement	-	-	103,000	0%
130	Court Technology	-	-	3,000	0%
140	Court Security	-	80	3,000	3%
200	Water & Utilities	59,298	126,605	1,806,199	7%
250	WWW Infrastructure Improv.	-	-	75,000	0%
400	Debt Service Fund	-	-	537,158	0%
500	Municipal Devel. District	50	53	114,500	0%
600	4B Economic Devel. Fund	55	24,449	203,000	12%
700	Park Impact Fund	-	-	18,400	0%
800	Water & Utilities Impact Fund	-	-	495,155	0%
<b>Total</b>		<b>\$ 331,304</b>	<b>\$ 451,486</b>	<b>\$ 8,085,406</b>	<b>6%</b>



City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>100 - General Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	44,024.81	277,277.50	(233,252.69)	44,024.81	3,327,330.00	1.32%	3,283,305.19
Licenses-Permits-Fees	27,730.59	20,786.25	6,944.34	27,730.59	249,435.00	11.12%	221,704.41
Services	157.10	65,807.25	(65,650.15)	157.10	789,687.00	0.02%	789,529.90
Fines & Forfeitures	14,187.97	11,222.93	2,965.04	14,187.97	134,675.00	10.53%	120,487.03
Other Revenue	10,908.96	16,249.99	(5,341.03)	10,908.96	195,000.00	5.59%	184,091.04
Transfers	0.00	2,480.58	(2,480.58)	0.00	29,767.00	0.00%	29,767.00
Revenue Totals	<u>97,009.43</u>	<u>393,824.50</u>	<u>(296,815.07)</u>	<u>97,009.43</u>	<u>4,725,894.00</u>	<u>2.05%</u>	<u>4,628,884.57</u>
<b>Expense Summary</b>							
Personnel	162,168.65	185,116.26	(22,947.61)	162,168.65	2,221,395.00	7.30%	2,059,226.35
Employee Benefits	51,930.89	45,704.18	6,226.71	51,930.89	548,450.00	9.47%	496,519.11
Special Services	0.00	8,133.34	(8,133.34)	0.00	97,600.00	0.00%	97,600.00
Contractual Services	0.00	31,578.82	(31,578.82)	0.00	378,946.00	0.00%	378,946.00
Operating Services	9,336.11	8,629.17	706.94	9,336.11	103,550.00	9.02%	94,213.89
Special Expenses	0.00	2,808.34	(2,808.34)	0.00	33,700.00	0.00%	33,700.00
Supplies	1,953.33	7,304.15	(5,350.82)	1,953.33	87,650.00	2.23%	85,696.67
Professional Development	0.00	2,454.15	(2,454.15)	0.00	29,450.00	0.00%	29,450.00
Software & Computer Equipment	53,365.55	7,891.67	45,473.88	53,365.55	94,700.00	56.35%	41,334.45
Printing Expense	471.78	1,554.17	(1,082.39)	471.78	18,650.00	2.53%	18,178.22
Repairs - Bldg & Machinery	2,208.78	13,033.34	(10,824.56)	2,208.78	156,400.00	1.41%	154,191.22
Other Expense	1,361.99	9,334.19	(7,972.20)	1,361.99	112,010.00	1.22%	110,648.01
Minor Capital Outlay	1,410.39	7,983.34	(6,572.95)	1,410.39	95,800.00	1.47%	94,389.61
Utilities	1,573.31	36,375.00	(34,801.69)	1,573.31	436,500.00	0.36%	434,926.69
Insurance	13,532.60	4,853.34	8,679.26	13,532.60	58,240.00	23.24%	44,707.40
Vehicle Expenses	986.98	6,062.50	(5,075.52)	986.98	72,750.00	1.36%	71,763.02
Capital Outlay	0.00	14,841.92	(14,841.92)	0.00	178,103.00	0.00%	178,103.00
Rentals	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
Expense Totals	<u>300,300.36</u>	<u>393,824.55</u>	<u>(93,524.19)</u>	<u>300,300.36</u>	<u>4,725,894.00</u>	<u>6.35%</u>	<u>4,425,593.64</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>110 - LEOSE</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Other Revenue	0.00	91.67	(91.67)	0.00	1,100.00	0.00%	1,100.00
Revenue Totals	0.00	91.67	(91.67)	0.00	1,100.00	0.00%	1,100.00
<b>Expense Summary</b>							
Professional Development	0.00	91.67	(91.67)	0.00	1,100.00	0.00%	1,100.00
Expense Totals	0.00	91.67	(91.67)	0.00	1,100.00	0.00%	1,100.00



City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>120 - Street Improvement Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	9,366.79	8,583.33	783.46	9,366.79	103,000.00	9.09%	93,633.21
Revenue Totals	<u>9,366.79</u>	<u>8,583.33</u>	<u>783.46</u>	<u>9,366.79</u>	<u>103,000.00</u>	<u>9.09%</u>	<u>93,633.21</u>
<b>Expense Summary</b>							
Capital Outlay	0.00	8,583.33	(8,583.33)	0.00	103,000.00	0.00%	103,000.00
Expense Totals	<u>0.00</u>	<u>8,583.33</u>	<u>(8,583.33)</u>	<u>0.00</u>	<u>103,000.00</u>	<u>0.00%</u>	<u>103,000.00</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>130 - Court Technology</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Fines & Forfeitures	375.56	250.00	125.56	375.56	3,000.00	12.52%	2,624.44
Revenue Totals	<u>375.56</u>	<u>250.00</u>	<u>125.56</u>	<u>375.56</u>	<u>3,000.00</u>	<u>12.52%</u>	<u>2,624.44</u>
<b>Expense Summary</b>							
Software & Computer Equipment	0.00	250.00	(250.00)	0.00	3,000.00	0.00%	3,000.00
Expense Totals	<u>0.00</u>	<u>250.00</u>	<u>(250.00)</u>	<u>0.00</u>	<u>3,000.00</u>	<u>0.00%</u>	<u>3,000.00</u>

City of Ovilla  
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<b>140 - Court Security</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Fines & Forfeitures	448.63	250.00	198.63	448.63	3,000.00	14.95%	2,551.37
Revenue Totals	<u>448.63</u>	<u>250.00</u>	<u>198.63</u>	<u>448.63</u>	<u>3,000.00</u>	<u>14.95%</u>	<u>2,551.37</u>
<b>Expense Summary</b>							
Other Expense	79.95	100.00	(20.05)	79.95	1,200.00	6.66%	1,120.05
Reserve	0.00	150.00	(150.00)	0.00	1,800.00	0.00%	1,800.00
Expense Totals	<u>79.95</u>	<u>250.00</u>	<u>(170.05)</u>	<u>79.95</u>	<u>3,000.00</u>	<u>2.67%</u>	<u>2,920.05</u>

City of Ovilla  
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<b>200 - Water And Utilities Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	166,567.30	144,783.25	21,784.05	166,567.30	1,737,399.00	9.59%	1,570,831.70
Other Revenue	2.99	4.17	(1.18)	2.99	50.00	5.98%	47.01
Transfers	7,500.00	5,729.17	1,770.83	7,500.00	68,750.00	10.91%	61,250.00
Revenue Totals	<u>174,070.29</u>	<u>150,516.59</u>	<u>23,553.70</u>	<u>174,070.29</u>	<u>1,806,199.00</u>	<u>9.64%</u>	<u>1,632,128.71</u>
<b>Expense Summary</b>							
Personnel	27,713.29	38,177.09	(10,463.80)	27,713.29	458,125.00	6.05%	430,411.71
Employee Benefits	9,819.40	10,841.16	(1,021.76)	9,819.40	130,094.00	7.55%	120,274.60
Special Services	0.00	5,225.00	(5,225.00)	0.00	62,700.00	0.00%	62,700.00
Operating Services	1,978.75	2,866.67	(887.92)	1,978.75	34,400.00	5.75%	32,421.25
Supplies	34.09	616.66	(582.57)	34.09	7,400.00	0.46%	7,365.91
Professional Development	97.00	416.66	(319.66)	97.00	5,000.00	1.94%	4,903.00
Software & Computer Equipment	0.00	833.33	(833.33)	0.00	10,000.00	0.00%	10,000.00
Printing Expense	0.00	166.67	(166.67)	0.00	2,000.00	0.00%	2,000.00
Other Expense	23.51	1,883.34	(1,859.83)	23.51	22,600.00	0.10%	22,576.49
Contractual Services	0.00	1,666.66	(1,666.66)	0.00	20,000.00	0.00%	20,000.00
Rentals	0.00	125.00	(125.00)	0.00	1,500.00	0.00%	1,500.00
Vehicle Expenses	59.35	750.00	(690.65)	59.35	9,000.00	0.66%	8,940.65
Utilities	81,851.92	82,240.00	(388.08)	81,851.92	986,880.00	8.29%	905,028.08
Repairs - Bldg & Machinery	1,337.48	3,166.67	(1,829.19)	1,337.48	38,000.00	3.52%	36,662.52
Minor Capital Outlay	0.00	500.00	(500.00)	0.00	6,000.00	0.00%	6,000.00
Insurance	3,689.83	1,041.67	2,648.16	3,689.83	12,500.00	29.52%	8,810.17
Expense Totals	<u>126,604.62</u>	<u>150,516.58</u>	<u>(23,911.96)</u>	<u>126,604.62</u>	<u>1,806,199.00</u>	<u>7.01%</u>	<u>1,679,594.38</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>250 - WWW Infrastructure Improvements</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	5,842.95	6,250.00	(407.05)	5,842.95	75,000.00	7.79%	69,157.05
Revenue Totals	<u>5,842.95</u>	<u>6,250.00</u>	<u>(407.05)</u>	<u>5,842.95</u>	<u>75,000.00</u>	<u>7.79%</u>	<u>69,157.05</u>
<b>Expense Summary</b>							
Reserve	0.00	6,250.00	(6,250.00)	0.00	75,000.00	0.00%	75,000.00
Expense Totals	<u>0.00</u>	<u>6,250.00</u>	<u>(6,250.00)</u>	<u>0.00</u>	<u>75,000.00</u>	<u>0.00%</u>	<u>75,000.00</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>400 - Debt Service Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Other Revenue	0.00	13,809.92	(13,809.92)	0.00	165,719.00	0.00%	165,719.00
Transfers	0.00	8,631.25	(8,631.25)	0.00	103,575.00	0.00%	103,575.00
Taxes	962.86	22,322.00	(21,359.14)	962.86	267,864.00	0.36%	266,901.14
Revenue Totals	<u>962.86</u>	<u>44,763.17</u>	<u>(43,800.31)</u>	<u>962.86</u>	<u>537,158.00</u>	<u>0.18%</u>	<u>536,195.14</u>
<b>Expense Summary</b>							
Reserve	0.00	747.50	(747.50)	0.00	8,970.00	0.00%	8,970.00
Long Term Debt	0.00	44,015.66	(44,015.66)	0.00	528,188.00	0.00%	528,188.00
Expense Totals	<u>0.00</u>	<u>44,763.16</u>	<u>(44,763.16)</u>	<u>0.00</u>	<u>537,158.00</u>	<u>0.00%</u>	<u>537,158.00</u>



City of Ovilla  
Financial Statement  
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<b>500 - Municipal Development District Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	11,084.15	9,416.67	1,667.48	11,084.15	113,000.00	9.81%	101,915.85
Other Revenue	91.97	125.00	(33.03)	91.97	1,500.00	6.13%	1,408.03
Revenue Totals	<u>11,176.12</u>	<u>9,541.67</u>	<u>1,634.45</u>	<u>11,176.12</u>	<u>114,500.00</u>	<u>9.76%</u>	<u>103,323.88</u>
<b>Expense Summary</b>							
Special Services	0.00	191.67	(191.67)	0.00	2,300.00	0.00%	2,300.00
Supplies	0.00	8.33	(8.33)	0.00	100.00	0.00%	100.00
Insurance	52.84	25.00	27.84	52.84	300.00	17.61%	247.16
Reserve	0.00	2,650.00	(2,650.00)	0.00	31,800.00	0.00%	31,800.00
Capital Outlay	0.00	6,666.67	(6,666.67)	0.00	80,000.00	0.00%	80,000.00
Expense Totals	<u>52.84</u>	<u>9,541.67</u>	<u>(9,488.83)</u>	<u>52.84</u>	<u>114,500.00</u>	<u>0.05%</u>	<u>114,447.16</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>600 - 4B Economic Development Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Taxes	18,733.59	16,666.67	2,066.92	18,733.59	200,000.00	9.37%	181,266.41
Other Revenue	456.55	250.00	206.55	456.55	3,000.00	15.22%	2,543.45
Revenue Totals	<u>19,190.14</u>	<u>16,916.67</u>	<u>2,273.47</u>	<u>19,190.14</u>	<u>203,000.00</u>	<u>9.45%</u>	<u>183,809.86</u>
<b>Expense Summary</b>							
Grant Expense	0.00	416.67	(416.67)	0.00	5,000.00	0.00%	5,000.00
Reserve	0.00	5,583.33	(5,583.33)	0.00	67,000.00	0.00%	67,000.00
Special Services	0.00	608.34	(608.34)	0.00	7,300.00	0.00%	7,300.00
Contractual Services	0.00	2,500.00	(2,500.00)	0.00	30,000.00	0.00%	30,000.00
Supplies	0.00	16.67	(16.67)	0.00	200.00	0.00%	200.00
Professional Development	0.00	416.66	(416.66)	0.00	5,000.00	0.00%	5,000.00
Printing Expense	0.00	33.33	(33.33)	0.00	400.00	0.00%	400.00
Insurance	58.43	50.00	8.43	58.43	600.00	9.74%	541.57
Other Expense	0.00	625.01	(625.01)	0.00	7,500.00	0.00%	7,500.00
Capital Outlay	<u>24,390.25</u>	<u>6,666.67</u>	<u>17,723.58</u>	<u>24,390.25</u>	<u>80,000.00</u>	<u>30.49%</u>	<u>55,609.75</u>
Expense Totals	<u>24,448.68</u>	<u>16,916.68</u>	<u>7,532.00</u>	<u>24,448.68</u>	<u>203,000.00</u>	<u>12.04%</u>	<u>178,551.32</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>700 - Park Impact Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	1,672.60	1,533.33	139.27	1,672.60	18,400.00	9.09%	16,727.40
Other Revenue	0.01	0.00	0.01	0.01	0.00	0.00%	(0.01)
Revenue Totals	<u>1,672.61</u>	<u>1,533.33</u>	<u>139.28</u>	<u>1,672.61</u>	<u>18,400.00</u>	<u>9.09%</u>	<u>16,727.39</u>
<b>Expense Summary</b>							
Capital Outlay	0.00	1,533.33	(1,533.33)	0.00	18,400.00	0.00%	18,400.00
Expense Totals	<u>0.00</u>	<u>1,533.33</u>	<u>(1,533.33)</u>	<u>0.00</u>	<u>18,400.00</u>	<u>0.00%</u>	<u>18,400.00</u>

City of Ovilla  
Financial Statement  
As of October 31, 2022

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<b>800 - Water And Utilities Impact Fee Fund</b>	Current Month Actual	Current Month Budget	Budget Variance	YTD Actual	Annual Budget	% of Budget	Budget Remaining
<b>Revenue Summary</b>							
Services	19,503.83	41,262.92	(21,759.09)	19,503.83	495,155.00	3.94%	475,651.17
Other Revenue	8.15	0.00	8.15	8.15	0.00	0.00%	(8.15)
Revenue Totals	<u>19,511.98</u>	<u>41,262.92</u>	<u>(21,750.94)</u>	<u>19,511.98</u>	<u>495,155.00</u>	<u>3.94%</u>	<u>475,643.02</u>
<b>Expense Summary</b>							
Reserve	0.00	41,262.92	(41,262.92)	0.00	495,155.00	0.00%	495,155.00
Expense Totals	<u>0.00</u>	<u>41,262.92</u>	<u>(41,262.92)</u>	<u>0.00</u>	<u>495,155.00</u>	<u>0.00%</u>	<u>495,155.00</u>



**Date: December 12, 2022**

**To: Honorable Mayor and Council Members**

**Subject: Analysis of Sales Tax Received**

**From:**

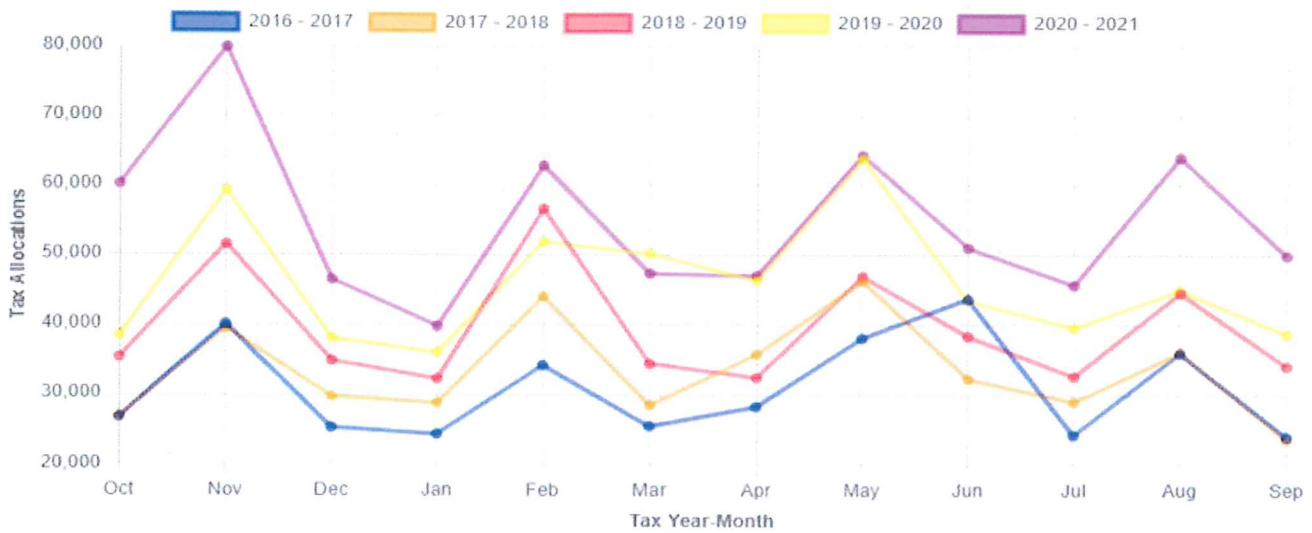
**Sharon Jungman – Finance Director**

Year	October	November	December	January	February	March	April	May	June	July	August	September	Total
2023	\$65,568	\$80,747	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$146,314
2022	\$51,406	\$63,357	\$53,208	\$58,988	\$76,930	\$49,301	\$47,808	\$69,383	\$51,255	\$52,703	\$131,782	\$66,644	\$772,766
2021	\$45,726	\$64,070	\$49,935	\$60,141	\$79,903	\$46,510	\$39,794	\$62,872	\$47,381	\$47,061	\$64,377	\$51,057	\$658,827
2020	\$39,571	\$45,017	\$38,679	\$38,373	\$59,305	\$38,067	\$36,013	\$51,866	\$50,201	\$46,341	\$63,885	\$43,486	\$550,803
2019	\$32,634	\$44,607	\$34,108	\$35,314	\$51,566	\$34,854	\$32,252	\$56,654	\$34,427	\$32,452	\$46,975	\$38,370	\$474,213
2018	\$28,959	\$36,065	\$23,588	\$26,767	\$39,504	\$29,705	\$28,796	\$44,064	\$28,466	\$35,800	\$46,299	\$32,272	\$400,285
2017	\$24,186	\$35,971	\$23,979	\$26,736	\$40,158	\$25,236	\$24,304	\$34,229	\$25,440	\$28,255	\$38,111	\$43,766	\$370,370
2016	\$25,405	\$34,971	\$21,425	\$26,277	\$37,994	\$22,634	\$22,413	\$33,715	\$24,531	\$22,980	\$33,792	\$23,408	\$329,544
2015	\$17,904	\$29,706	\$19,217	\$19,989	\$32,408	\$21,627	\$19,021	\$37,359	\$24,990	\$21,738	\$31,535	\$21,477	\$296,972
2014	\$21,664	\$33,425	\$23,190	\$21,198	\$38,106	\$22,176	\$22,221	\$42,904	\$21,895	\$20,357	\$29,955	\$18,445	\$315,536
2013	\$20,450	\$30,354	\$20,065	\$23,004	\$36,348	\$21,688	\$18,041	\$35,277	\$20,966	\$24,886	\$31,214	\$22,980	\$305,275
2012	\$19,273	\$34,403	\$17,681	\$17,687	\$37,350	\$16,693	\$15,341	\$36,082	\$21,516	\$20,324	\$27,774	\$20,964	\$285,087
2011	\$13,498	\$29,965	\$11,131	\$12,209	\$25,077	\$15,882	\$11,778	\$30,951	\$13,231	\$14,801	\$27,676	\$17,662	\$223,860
2010	\$11,473	\$27,282	\$9,473	\$11,492	\$25,689	\$12,557	\$11,203	\$31,813	\$15,236	\$14,325	\$26,311	\$14,269	\$211,123
2009	\$12,027	\$27,919	\$11,234	\$10,492	\$23,854	\$11,289	\$12,069	\$24,052	\$11,950	\$10,438	\$23,632	\$13,039	\$191,995
2008	\$5,185	\$14,737	\$6,487	\$3,989	\$13,199	\$13,609	\$6,597	\$14,757	\$10,507	\$12,684	\$24,070	\$11,541	\$137,362
2007	\$5,562	\$14,548	\$3,609	\$3,289	\$11,562	\$4,912	\$4,582	\$14,413	\$5,511	\$6,417	\$11,912	\$5,287	\$91,603
2006	\$3,847	\$13,497	\$9,764	\$3,365	\$11,578	\$3,583	\$3,204	\$12,215	\$2,630	\$3,299	\$13,670	\$4,491	\$85,144
2005	\$2,434	\$11,461	\$3,572	\$2,895	\$10,674	\$2,183	\$2,675	\$9,695	\$2,710	\$2,499	\$10,503	\$3,033	\$64,333
2004	\$2,356	\$10,702	\$2,606	\$2,033	\$8,565	\$3,236	\$1,809	\$9,507	\$24,612	\$2,762	\$9,009	\$3,690	\$80,888

Monthly - Sales Tax Allocations - By Calendar Year



Monthly - Sales Tax Allocations - By Fiscal Year 10/01 - 09/30





Yearly - Sales Tax Allocations - Past 20 Years



# BUILDING PERMITS NOVEMBER 2022

Date Issued	Applicant First Name	Applicant Last Name	Property Address	Permit Number	Proposed Use	Valuation Bldg	Valuation Bldg w/ Land	Fees Due	Living Sq Ft	Total Sq Ft	Property County
11/4/2022	WILLIAM	MILLER	613 BUCKBOARD ST	2022-0405	ROOF	15110.14	15110.14	100	0	0	ELLIS
11/9/2022	FIRST TEXAS HOMES		360 PENROSE DR	2022-0514	NEW SINGLE FAMILY RESIDENTIAL	840950	919950	21659.97	5439	6825	ELLIS
11/14/2022	DANNY	DOUTHIT	207 WILLOW CREEK LN	2022-0541	FLATWORK	100000	0	1069.78	0	0	ELLIS
11/28/2022	JUSTIN	BRIGHT	7411 BALD CYPRESS DR	2022-0563	SWIMMING POOL	100000	0	1089.78	0	0	ELLIS
11/15/2022	LUIS	VALLEJO	705 GEORGETOWN RD	2022-0569	ACCESSORY BUILDING	15000	0	40	0	0	ELLIS
11/18/2022	GORDON	MCWATT	108 BENT TREE LN	2022-0570	ACCESSORY BUILDING	3000	0	40	0	120	ELLIS
11/3/2022	JUSTIN	JONES	7820 BALD CYPRESS DR	2022-0572	FENCE	4000	0	50	0	0	ELLIS
11/3/2022	JUSTIN	JONES	7820 BALD CYPRESS DR	2022-0573	IRRIGATION	6000	0	50	0	0	ELLIS
11/2/2022	SCOTT	MILLER	300 PENROSE DR	2022-0574	FENCE	1900	0	25	0	0	ELLIS
11/2/2022	SCOTT	MILLER	340 PENROSE DR	2022-0575	FENCE	1900	0	25	0	0	ELLIS
11/3/2022	DONNA	FULLER	224 LARIAT TRL	2022-0576	ACCESSORY BUILDING	40000	0	40	0	0	DALLAS
11/1/2022	DONNA	FULLER	224 LARIAT TRL	2022-0577	DUMPSTER	0	0	0	0	0	DALLAS
11/2/2022	DEAN	FERRELL	105 BROOKWOOD CT	2022-0578	ROOF	9700	0	50	0	0	ELLIS
11/7/2022	RYAN	WITTE	133 MEADOW GLEN LN	2022-0579	ELECTRICAL	1500	1500	100	0	0	ELLIS
11/14/2022	MANUEL	VERA	305 COCKRELL HILL RD	2022-0580	ACCESSORY BUILDING	34000	0	40	0	0	ELLIS
11/8/2022	WENDELL	MCHAM	312 WILLOW CREEK LN	2022-0581	PLUMBING	1000	1000	100	0	0	ELLIS
11/8/2022	MUA'ATH	ALI	3412 FM	2022-0582	SOLAR	154462	2550000	325	0	0	ELLIS
11/9/2022	ROBERT	FRANCE	101 HUMMINGBIRD LN	2022-0583	ELECTRICAL	2500	0	100	0	0	ELLIS
11/10/2022	MICHAEL	JOHNSON	310 BROADMOOR LN	2022-0584	IRRIGATION	1100	1100	25	0	0	ELLIS
11/10/2022	MICHAEL	JOHNSON	370 BROADMOOR LN	2022-0585	IRRIGATION	1100	1100	25	0	0	ELLIS
11/10/2022	MICHAEL	JOHNSON	360 CHEYENNE MOUNTAIN DR	2022-0586	IRRIGATION	1100	1100	25	0	0	ELLIS
11/10/2022	MICHAEL	JOHNSON	321 CHEYENNE MOUNTAIN DR	2022-0587	IRRIGATION	1100	1100	25	0	0	ELLIS
11/10/2022	VIKTOR	POLIASHOV	142 CLAREMONT DR	2022-0588	ELECTRICAL	0	0	100	0	0	ELLIS
11/10/2022	LUMIO		100 MEADOWWOOD LN	2022-0589	SOLAR	53193.49	0	325	0	0	ELLIS
11/16/2022	ACE FENCE - DFW		360 CHEYENNE MOUNTAIN DR	2022-0590	FENCE	2600	0	25	0	0	ELLIS
11/16/2022	ACE FENCE - DFW		321 CHEYENNE MOUNTAIN DR	2022-0591	FENCE	2700	0	25	0	0	ELLIS
11/17/2022	MICHAEL	JOHNSON	300 PENROSE DR	2022-0592	IRRIGATION	1100	1100	25	0	0	ELLIS
11/16/2022	JUSTIN	BINDER	7441 PISTACHE LN	2022-0593	FENCE	5000	5000	25	0	0	ELLIS
11/16/2022	AQUATROL IRRIGATION		7441 PISTACHE LN	2022-0595	IRRIGATION	3600	0	25	0	0	ELLIS
11/18/2022	MARY	GANTZ	701 OVILLA OAKS DR	2022-0596	ROOF	27977	27977	50	0	0	ELLIS
11/22/2022	MECA CONSTRUCTION LLC		305 FOUNTAIN CREEK CT	2022-0598	FLATWORK	22000	0	0	0	0	ELLIS
11/23/2022	RYAN	HELLWEGE	631 WILLIAM DR	2022-0599	ACCESSORY BUILDING	8250	0	40	0	0	ELLIS
11/21/2022	ANTHONY	BURLESON	621 GREEN MEADOWS LN	2022-0600	PLUMBING	17000	0	125	0	0	ELLIS
11/28/2022	MICHAEL	JOHNSON	340 PENROSE DR	2022-0601	IRRIGATION	1100	1100	25	0	0	ELLIS
11/29/2022	COOMES AIR		623 EDGEWOOD LN	2022-0603	MECHANICAL	16760	0	184.31	0	0	ELLIS
11/30/2022	ACE FENCE - DFW		371 BROADMOOR LN	2022-0604	FENCE	2600	0	50	0	0	ELLIS

## Ovilla Municipal Court Report

<b>FY-2022-2023</b>	<b>Total Traffic Cases Filed</b>	<b>City Ordinance Filed</b>	<b>Total Revenue</b>	<b>Amount Kept by City</b>	<b>Amount sent to State</b>	<b>Warrants Issued</b>	<b>Warrants Cleared</b>	<b>Uncontested Disposition</b>	<b>Defensive Driving</b>	<b>Deferred Disposition</b>	<b>Compliance Dismissals</b>	<b>Trial</b>
<b>October</b>	97	6	\$24,989.20	\$15,889.60	\$9,099.60	0	15	40	21	46	0	0
<b>November</b>	86	0	\$21,658.20	\$13,796.21	\$7,861.99	42	3	3	14	30	0	0
<b>December</b>												
<b>January</b>												
<b>February</b>												
<b>March</b>												
<b>April</b>												
<b>May</b>												
<b>June</b>												
<b>July</b>												
<b>August</b>												
<b>September</b>												
<b>Totals</b>	<b>183</b>	<b>6</b>	<b>\$46,647.40</b>	<b>\$29,685.81</b>	<b>\$16,961.59</b>	<b>42</b>	<b>18</b>	<b>43</b>	<b>35</b>	<b>76</b>	<b>0</b>	<b>0</b>

2021-2022 FY

<b>November</b>	55	0	\$13,942.90	\$8,659.64	\$5,283.26	21
<b>FY Totals</b>	129	0	\$27,012.40	\$16,865.05	\$10,147.35	49

### Staffing

Full Time Court Clerk	1
Full Time Deputy Court Clerk	2
Judge	1
Prosecutor	1
Alternate Judge	1

## MONTHLY REPORT A CONCERNS NOVEMBER 2022

Department Assigned	Concern Address	Concern Description	Date Entered	Date Closed
Animal Services	338 JOHNSON LN		11/30/2020	11/28/2022
Animal Services	100 SILVERWOOD DR	UNREGISTERED DOGS	12/21/2020	11/28/2022
Animal Services	607 BUCKBOARD ST	UNRESTRAINED DOGS	11/2/2021	11/28/2022
Animal Services	7000 JUDY DR	2 great pyrineese dogs in road	11/16/2022	11/16/2022
Animal Services	747 WESTMORELAND RD	coyotes in yard, owner has chickens	11/17/2022	
Animal Services	403 MONTPELIER LN	DOG IS ALWAYS OUTSIDE AND CONSTANTLY BARKING	11/28/2022	
Animal Services	106 ASHBURNE GLEN LN	UNREGISTERED DOG	11/30/2022	
Animal Services	403 MONTPELIER LN	DOG BARKING NUISANCE ANIMAL	11/30/2022	
Code Enforcement	338 JOHNSON LN	PARKING VEHICLE IN YARD	11/14/2019	11/28/2022
Code Enforcement	900 RED OAK CREEK DR	PUBLIC NUISANCE	5/28/2020	11/28/2022
Code Enforcement	213 LARIAT TRL	JUNK VEHICLE	4/8/2021	11/28/2022
Code Enforcement	305 WILLOW CREEK LN	FENCE CONSTRUCTION WITHOUT PERMIT	6/10/2022	11/28/2022
Code Enforcement	212 SPLIT ROCK TER	CONSTRUCTION WITHOUT PERMIT	7/13/2022	11/28/2022
Code Enforcement	438 JOHNSON LN	DRIVE APPROACH CONSTRUCTED WITHOUT PERMIT	7/27/2022	
Code Enforcement	321 SHADOWWOOD TRL	clean up 321 Shadowwood Trail. The trees have fallen on the house almost 2 weeks ago and nothing has been down about that. The backyard grass was over knee high the last time I looked. When the Wright Tree company was out here a couple of weeks ago they went in the backyard to see if there were any trees that needed to be trimmed and I heard one of them say the pool was full of frogs. I sent them pictures after the trees fell but haven't heard or seen anyone come to the house in several months. The mailbox is so over stuff that it is starting to fall on the ground. It is an eye sore and who knows what animals might be living in and around the house especially since the tree has damaged a corner of the roof and created an opening for who know what. Also the vehicles just sitting there for at least a couple of years now. Also the big	8/5/2022	
Code Enforcement	108 COCKRELL HILL RD	FENCE CONSTRUCTION VIOLATES BUILDING CODE. POLES AND RAILS ARE TO BE ON THE INSIDE WITH SMOOTH SIDE FACING OUT.	8/9/2022	11/28/2022
Code Enforcement	321 SHADOWWOOD TRL	BRUSH	8/22/2022	11/28/2022
Code Enforcement	7041 JUDY DR	TRAILER PARKING IN DRIVE	8/31/2022	11/28/2022
Code Enforcement	744A COCKRELL HILL RD	HIGH GRASS AND WEEDS	10/12/2022	
Code Enforcement	128 MEADOW GLEN LN	This property is not being maintained and due to their negligence my area is being over run by mosquitos. My husband has treated and made sure our back yard is cut weekly and sprayed but it does not help that this is so overgrown. Possibly a feeding ground for rodents, snakes, spiders etc...My daughters are 2 and 5 and today just in a couple of minutes being outside were bitten by mosquitos which in turn has become infected and therefore caused them to be diagnosed with cellulite's which requires antibiotics. I attached pictures and I hope the city notifies this home owner to take care of this asap.	10/12/2022	

## MONTHLY REPORT A CONCERNS NOVEMBER 2022

Department Assigned	Concern Address	Concern Description	Date Entered	Date Closed
Code Enforcement	106 WOODRIDGE CT	We put out brush yesterday on bulk pickup day. It was not picked up. Other large amounts of brush on our block haven't been picked up in 6 weeks. All are in compliance for size. Our block looks awful, but the company simply does not touch it. Can something be done to get the company to pick it up?	10/21/2022	
Code Enforcement	100 OAKWOOD LN	HIGH GRASS AND WEEDS	10/24/2022	11/28/2022
Code Enforcement	221 LARIAT TRL	PUBLIC NUISANCE OUTSIDE STORAGE	10/31/2022	11/28/2022
Code Enforcement	3751 CHERRY LAUREL LN	HIGH GRASS AND WEEDS	10/31/2022	11/21/2022
Code Enforcement	3750 CHERRY LAUREL LN	HIGH GRASS AND WEEDS	10/31/2022	11/21/2022
Code Enforcement	3761 CHERRY LAUREL LN	HIGH GRASS AND WEEDS	10/31/2022	11/21/2022
Code Enforcement	7010 ORANGE CT	PARKING VIOLATION - TRAILER PARKING IN SIDE DRIVEWAY LONGER THAN 48 HOURS	11/2/2022	11/21/2022
Code Enforcement	917 RED OAK CREEK DR	CAR PARKED IN YARD	11/16/2022	11/28/2022
Code Enforcement	112 LARIAT TRL	TRAILER PARKING IN DRIVEWAY LONGER THAN 48 HOURS	11/16/2022	
Code Enforcement	621 MEADOW LARK DR	PUBLIC NUISANCE OUTSIDE STORAGE	11/16/2022	
Code Enforcement	621 MEADOW LARK DR	CAR PARKED IN YARD	11/16/2022	
Code Enforcement	619 MEADOW LARK DR	CAR PARKED IN YARD	11/16/2022	
Code Enforcement	300 JOHNSON LN	HIGH GRASS AND WEEDS	11/16/2022	
Code Enforcement	105 LARIAT TRL	LAWN IRRIGATION SYSTEM CONSTRUCTED WITHOUT PERMIT	11/16/2022	
Code Enforcement	105 LARIAT TRL	FENCE CONSTRUCTED WITHOUT PERMIT	11/16/2022	
Code Enforcement	120 LARIAT TRL	HIGH GRASS AND WEEDS	11/17/2022	11/21/2022
Code Enforcement	843 RED OAK CREEK DR	JUNK VEHICLE	11/17/2022	
Code Enforcement	140 SUBURBAN DR	VEHICLE AND TRAILER PARKED IN FRONT YARD	11/29/2022	
Code Enforcement	142 SUBURBAN DR	TRAILER PARKED IN FRONT YARD	11/29/2022	
Code Enforcement	317 SHADOWWOOD TRL	PUBLIC NUISANCE	11/29/2022	
Street Department	733 WESTMORELAND RD	Haul off fallen tree 733 Westmoreland	11/16/2022	
Water/Wastewater	105 COCKRELL HILL RD	<p>Please investigate the following locations for read in issue and replace endpoints if needed.</p> <p>SetFlowIDPremiseAddress</p> <p>66078810105550905 RED OAK CREEK RD</p> <p>66094210101183211 LARIAT TRAIL</p> <p>65820010108102400 BURTONWOOD CIR</p> <p>65680110108006407 BURTONWOOD CIR</p> <p>65904210105100307 SHADOWWOOD TRAIL</p> <p>65947610101230208 LARIAT TRAIL</p> <p>65934910111004102 CUMBERLAND CT</p> <p>65679210107090207 COCKRELL HILL RD</p> <p>66702910104680603 VALLEY VIEW CT</p> <p>65937610101650733 WESTMORELAND</p> <p>65809110104595203 SPLIT ROCK TERRACE</p> <p>73614410104767605 OAK RIDGE CT</p>	11/15/2022	11/17/2022
Water/Wastewater	711 W MAIN ST	CUSTOMER CALLED STATING HE HAD A WATER LEAK	11/16/2022	11/16/2022

## MONTHLY REPORT A CONCERNS NOVEMBER 2022

Department Assigned	Concern Address	Concern Description	Date Entered	Date Closed
Water/Wastewater	711 W MAIN ST	1.711 W. Main ( 11/16 ) Duration 4hrs- Fixed 1 ½" cast iron water main in front of the cleaners. Materials used 2x 1 ½" dressers and 10ft sections of pvc scd40. Crew Daniel, Dustin (Streets Mario, Hunter)	11/17/2022	11/17/2022
Water/Wastewater	711 W MAIN ST	Please dig out old slop and mud from water repair area and replace with road base so that driving conditions and parking lot are usable. Crew Water- Dustin ( Streets Josh, Hunter, Mario)	11/17/2022	11/17/2022
Water/Wastewater	360 PENROSE DR	NEED TO INSTALL 1' WATER METER	11/17/2022	
Water/Wastewater	805 COCKRELL HILL RD	CUSTOMER CAME IN AND STATED WATER WAS GUSHING FROM THE METER	11/17/2022	11/17/2022
Water/Wastewater	615 ELMWOOD DR	Dustin replaced water meter gasket on the customers side.	11/18/2022	11/18/2022
Water/Wastewater	3751 MONTERREY OAK WAY	PLEASE PUT DOOR TAG FOR CUSTOMER TO START SERVICE WITH THE CITY-THEY WERE EMAILED A MONTH AGO AND CALLED REGARDING SETTING UP SERVICE & HAVE YET TO DO SO.  DEADLINE DATE ON DOOR TAG-11/30/22	11/21/2022	
Water/Wastewater	696 W MAIN ST	Please backfill water meter and box at the carwash looks like it got missed by the meter install guys during clean up.	11/21/2022	
Water/Wastewater	105 COCKRELL HILL RD	Please install smart meter at the Ovilla PW building we will need to get a premise number from Cathy.	11/21/2022	
Water/Wastewater	302 OVILLA OAKS DR	Please replace broken angle stop service line is copper.	11/23/2022	
Water/Wastewater	310 CHEYENNE MOUNTAIN DR	FINAL OUT READING-THIS ADDRESS DOES NOT HAVE A NEW METER TO GET FINAL READ FROM SET. 11/23/22	11/23/2022	
Water/Wastewater	270 PENROSE DR	POSSIBLE LEAK AT WATER METER.....NOT SURE IF THIS WAS ALREADY TAKEN CARE OF OR NOT, DIDN'T FIND A WORK ORDER.	11/28/2022	
Water/Wastewater	105 COCKRELL HILL RD	CUT OFFS SCHEDULED FOR NOV 29TH (TUESDAY).	11/28/2022	





December 12, 2022  
City Manager & City Secretary Monthly Report-November 2022

Good evening Honorable Mayor and Council,

**Current and potential projects:**

Broadmoor Estates:

Bryson Manor Phase 3

Hollywood Estates

Forest Creek Estates (Johnson Lane-formally Miracle Farms):

- Extension approved by Council.

TX Dot land acquisition: Partial funds received.

Preparing for the Cumberland Forest creek erosion project.

**Finance:**

- Conducted interviews for Finance Director.
  - Second interview of potential candidate.
- Director provided TML Worker's Comp information for annual final report.
- TMRS Employee Contribution report changes and training.

**Fire Department:**

- Burn Ban lifted by the Commissioner's Court on Tuesday, November 01, 2022.
- Participated in the Annual Christmas Tree Lighting.
- OCS visited and conducted a walk-through of the fire station and presentation of equipment.
- Continues involvement in Disaster Safety training and management.

**Police**

- Ovilla Police building renovation is complete.
- Administrative Assistant position is still not filled. Interviews conducted with potential candidates.
- Chief conducting backgrounds on CM candidate and Finance Director candidate.
- Participated in the Annual Christmas Tree Lighting.
- OCS visited and conducted a walk-through of the police station and presentation of equipment.

**Public Works & Code:**

- Ovilla Auto – Staff continues to monitor. No additional complaints.
- Lariat Trail issues – Staff continues to monitor this area. No additional complaints.
- Continued drainage and ditch work throughout the city following heavy rains.
- All departments within PW participated in the preparation of holiday décor throughout the city.
- All departments within PW participated in the preparation of the Annual Christmas Tree Lighting.
- Began preparation of conference room (next to Council Chamber room)
- Attended Loop 9 hearing for Dallas and Ellis Counties.
- Working with city engineer on impact fees.
- Few water repairs that mandated temporary water suspension (few hours) in certain areas of town.

**City Secretary/City Manager:**

- Conference call with Bryson Manor attorney and Ovilla legal counsel over Bryson Manor issues.
- Quarterly Town Topics mailed.
- Still pending applications for the Board of Adjustment.
- Final review of applications/resumes for city manager and finance director positions.
- Updated multiple fee ordinances and presented them to Council for approval.
- Working on a documentation for a State Infrastructure Bank loan as well as receiving support services from the city's bond counsel to assist with the cost for the relocation of utilities on the TxDOT FM664 widening project. Staff hopes to have additional information to bring to Council in January.
- Informational monitor installed in the front office with PowerPoint city information displayed.
- Mayor and Place 3 provided meat for an employee luncheon for Thanksgiving.

- Discovered city was still on tax rolls as owner of abandoned road (between Curtis Garage & Frank's Holy Smokes). Multiple contacts over months with Ellis CAD to finally get the tax roll corrected to the owners of the abandoned street to begin paying taxes.
- Received letter of appreciation noting exemplary service from our public works department-employees, Daniel Durham, Dustin Cleveland, James Kuykendall, Jessica Foresman (assisting with getting the help).
- Multiple Council inquiries.
- Bobbie Jo and Emily attended TMCP Yellow Rose Chapter meeting. Bobbie Jo is the recipient of a training scholarship from the Yellow Rose Chapter and a scholarship from the Texas Municipal Clerks Association.
- Met with Alan Whitaker regarding the Bed and Breakfast ordinance prior to the Planning and Zoning Meeting held on 11.7.2022
- 13 Public Information Requests filled. All were simple requests that no charges could be assessed.
- 1 Public Information Request sent to the Attorney General's Office for review due to information deemed not public requested. Response expected within 45 business days.

Respectfully submitted,  
Pam Woodall  
Bobbie Jo Taylor